

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, March 5, 2002
Tuesday, 9:04 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Fearey, Gale, Lambke, Martz, Pisciotte, present. Council Member Brewer absent.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

Deacon Patsy Abshier gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved The Minutes of the regular meeting of February 12, 2002, were approved 6 to 0. (Brewer absent)

AWARDS AND PRESENTATIONS

YOUTH SERVICE Wichita's Promise – Youth Community Service Awards were presented.

SCHOOL SIGNS The new school signs announcement was made.

PROCLAMATIONS Proclamations previously approved were presented.

NAT'L NIGHT OUT Chief Williams presented award for Recognition for Successful National Night Out.

UNFINISHED BUSINESS

CONDEMNATIONS REPAIR OR REMOVAL OF 1325 NORTH MAIN. (District VI)

Kurt Schroeder Superintendent of Central Inspection reviewed the Item.

Agenda Report No. 01-1278A

This property was before the Board of Code Standards and Appeals (BCSA) on September 25, 2001. No repairs had been made to the property, and the BCSA recommended 10 days to start demolition and an additional 10 days to complete.

This case was heard by the City Council on November 20, 2001. No-one appeared to represent the property and the Council adopted a resolution giving 10 days to start and 10 days to complete demolition.

An asbestos survey was completed for a cost of \$430. The property was referred to the City's demolition contractor for demolition on February 7, 2002.

On February 13, 2002 the property owner's representative contacted staff and Council Member Fearey to request additional time to repair the property.

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The 2000 and 2001 taxes are shown as delinquent in the amount of \$1,870.90. There is also a pending assessment for weed mowing and lot-clean up in the amount of \$755.63.

The owner has been notified of the date and time of this hearing.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard/

Ivan Carney

Mr. Carney stated owner had paid taxes and will work on other costs; and that the building has been secured.

Motion --

Fearey moved that Resolution declaring the building as dangerous and unsafe be adopted. Per Council Policy 33, if extension of time to complete repairs is granted, all delinquent property taxes (\$1,870.90), all pending assessments for weed mowing and lot cleanup (\$755.63), and the cost of the recent asbestos survey (\$430) must be paid. The owner should be granted not more than 14 days to pay the \$500 fee associated with the demolition process; and not more than 14 days to make a cash deposit with the City equal to ½ the estimated cost of demolition (\$1,750) per Council Policy. Failing any of the above, the City will proceed with condemnation. Motion carried 6 to 0. (Brewer absent)

-- carried

RESOLUTION NO. 02-140

A Resolution finding that the structure/s located on commonly known as 1325 North Main, Lots 1220 and 1222 on Main Street in Bush's Addition to the City of Wichita, Sedgwick County, Kansas is/are unsafe or dangerous and directing the structure/s to be made safe and secure or removed, presented. Fearey moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight. (Brewer absent)

CONDEMNATIONS

REPAIR OR REMOVAL OF 1647 SOUTH PALISADE. (District III)

(Council Member Pisciotte left the Bench.)

Kurt Schroeder

Superintendent of Central Inspection reviewed the Item.

Agenda Report No. 02-0003A

This property was before the Board of Code Standards and Appeals (BCSA) for review on November 5, 2001. No repairs had been made to the property; the BCSA recommended 10 days to start demolition and an additional 10 days to complete.

This case was heard by the City Council on January 8, 2002. Bankruptcy attorney, Michael Case, appeared before the Council and requested deferral of action against the property to allow for it to be auctioned on February 5, 2002. Council voted to defer action on the property until after the auction and sale.

The property sold at auction on February 5, 2002. The sale will not be finalized until March 7, 2002. The 1999, 2000 and 2001 taxes are shown as delinquent in the amount of \$1,163.86. There is also a pending assessment for weed mowing in the amount of \$117.

The bankruptcy attorney and the buyer have been notified of the date and time of this hearing.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Lambke moved that the Resolution declaring the building as dangerous and unsafe be adopted with the extension not exceeding 30 days; the new owner given no more than 14 days to pay all delinquent property taxes (\$1,163.86) and the pending assessment for weed mowing (\$117.00) per City Council Policy. Failure to comply, the City will proceed with condemnation, allowing 10 days to start demolition and 10 days to complete the removal of the structure. Motion carried 5 to 0. (Brewer, Pisciotte; absent)

-- carried

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RESOLUTION NO. 02-141

A Resolution finding that the structure/s located on commonly known as 1647 South Palisade, Lots 25 and 27, on Palisade Avenue in Eureka or Rick Island Addition to Wichita, Sedgwick County, Kansas, is/are unsafe or dangerous and directing the structure/s to be made safe and secure or re moved, presented. Lambke moved that the Resolution be adopted. Motion carried 5 to 0. Yeas: Fearey, Gale, Lambke, Martz, Knight. (Brewer, Pisciotte; absent)

(Council Member Pisciotte present)

CASE MANAGEMENT REQUEST FOR PROPOSAL FOR CASE MANAGEMENT SERVICES.

(Continued from February 12, 2002)

Cathy Holdeman City Manager's Office reviewed the Item.

Agenda Report No. 02-1060A

On August 28, 2001, the City issued a competitive Request for Proposal (RFP) for funding alcohol and substance prevention and treatment programs. The Special Liquor Tax Coalition met to review the proposals and to make recommendations to the City Council. Those recommendations were presented to the City Council on November 6, 2001, and the City Council approved funding for ten (10) alcohol prevention and treatment programs. The Council also authorized a Request for Proposal (RFP) for detoxification services and a provider was approved by the City Council on December 18, 2001. Funding for all services was \$923,570.

This project was deferred from the February 12, 2002, City Council meeting for further consideration.

The Special Liquor Tax Coalition has been meeting over the past year to discuss its recommended Case Management Program. The Coalition has recognized the need to "track clients" after they receive treatment services to ensure those clients and their family members receive the necessary programs and services to successfully reintegrate into society. City-funded treatment programs concentrate efforts (and outcome-based measurements) on addressing changes made in the person's life while they are in a treatment program. Due to staffing shortages, funding deficiencies, and lack of technology, agencies do not have the resources to track clients after they leave their respective treatment program. As a result, some clients may relapse and many re-enter the same or another treatment program.

The RFP would seek a firm to develop a tracking and case management system for clients who complete treatment programs funded by the City of Wichita Special Liquor Tax funds and who are referred to case management services. The Special Liquor Tax Fund has allocations available to support the development of a Case Management Program to provide the City-funded treatment providers. It is anticipated that the project could be implemented over a three-year period of time to allow the selected firm to successfully track clients and measure their ability to change lifestyles. The Case Management Program will also allow the City to determine if the programs provided by the treatment providers successfully change behavior. The selected firm will be expected to acquaint themselves with clients before they leave the treatment program to assess individual client needs. A specific case management program, with measurable goals and objectives, will be developed for each client. The firm will be expected to have the resources to adequately assess and improve the well-being of the client with respect to family relationships, employment, sufficiency of income, transportation needs, job training needs, counseling and support services, violations with the law and other conditions in the environment that increase an individual's capacity to function in society free from alcohol and other drug abuse. The firm will also be expected to develop a working relationship with other agencies in the community that may be providing case management services to this same client to eliminate a duplication of efforts.

The City has available funding to support this Special Liquor Tax Fund Case Management Program.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

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Motion -- Fearey moved that the time for the Request for Proposal for the Case Management services be reduced from three years to two years at an amount not-to-exceed \$550,000; and that \$250,000 be set aside for Request for Proposals for innovative pilot programs to be reviewed by the Special Liquor Tax Coalition for recommendation to the City Council. Motion carried 6 to 0. (Brewer absent)

-- carried

NEW BUSINESS

LIQUOR

SPECIAL LIQUOR TAX FUNDING.

Cathy Holdeman City Manager's Office reviewed the Item.

Agenda Report No. 02-1072

On August 28, 2001, the City issued a competitive Request for Proposal (RFP) for funding alcohol and substance prevention and treatment programs (with funding to commence in January 2002). The RFP incorporated the City Council's guidelines for funding established at the December 14, 1999 meeting.

The Special Liquor Tax Coalition met and designated a subcommittee (of the Coalition) to review and evaluate all of the responses to the RFP. After an extensive review by the subcommittee, recommendations were brought to the full Coalition for its review and action. The Coalition recommended funding for ten providers providing prevention and treatment services. Fifteen proposals were received; three new proposals and two existing proposals were not recommended for funding and a decrease in funding was recommended for one proposal.

The Coalition was requested to reconsider funding for the Knox proposal (which was not recommended for funding). After a presentation by the provider to the Coalition, the Coalition elected to stand by its original decision to not fund this proposal as information presented in the proposal was not as strong as information presented in a competing proposal.

Staff reviewed the work and clientele of the Knox Center and the work of another prevention provider and is recommending the Council provide \$15,000 in funding for 2002 to the Knox Center and increase funding by \$4,000 to the Regional Prevention Center. The Knox Center will be required to submit monthly (instead of quarterly) outcomes-based information to COMCARE, the City's program administrator. This will ensure that the treatment services provided by this firm make a meaningful and measurable difference in the lives of the clients served and it will also flag any reporting issues before they become a problem. Additional one-time funding to the Regional Prevention Center is being requested to address a funding deficit from Sedgwick County Special Liquor Tax funding. The Prevention Center has clearly demonstrated its value to the community in preventing substance abuse and has documented its performance through outcome-based measurements.

Funding is available from the Special Liquor Tax Fund.

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- carried Pisciotte moved that the funding allocations be approved. Motion carried 6 to 0. (Brewer absent)

HYDRAULIC DRAIN

HYDRAULIC DRAINAGE IMPROVEMENT – 57TH STREET SOUTH TO MACARTHUR. (District III)

Steve Lackey Director of Public Works reviewed the Item.

Agenda Report No. 02-1073

The Capital Improvement Program includes a project to improve Hydraulic between 57th Street South and MacArthur. The project has been reviewed by the District III Advisory Board.

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The work planned for 2002 is a storm water sewer to be constructed in advance of the street paving. A detention pond will be constructed in Emery Park and a drainage channel extending west along the north side of the Riverside Mobile Home Park. A concrete box culvert will be installed along the east side of Hydraulic. Later this year, a project will be let to widen Hydraulic to four lanes between 47th Street South and MacArthur. That paving will be scheduled for 2003.

Construction of a concrete box culvert across Hydraulic near 45th Street South will necessitate a weekend traffic closure.

Funding for the project is programmed through 2005. The 2002-2003 budget is \$4,300,000. The City Council previously approved \$2,295,000. The funding source is General Obligation Bonds.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Lambke moved that the project be approved and the Ordinance be placed on first reading. Motion carried 6 to 0. (Brewer absent)

ORDINANCE

An Ordinance amending Ordinance No. 45-021 of the City of Wichita, Kansas declaring Hydraulic, from 57th Street South to MacArthur (472-83324), to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, introduced and under the rules laid over.

IMPR. CENTRAL

CENTRAL AVENUE IMPROVEMENT BETWEEN TYLER AND WOODCHUCK. (District V)

Steve Lackey

Director of Public Works reviewed the Item.

Agenda Report No. 02-1074

The 2002 Capital Improvement Program includes funding to improve Central Avenue between Tyler and Woodchuck.

The project consists of widening Central to provide four through lanes and a two-way center left turn lane. Traffic signals will be installed at the intersection of Central and Socora. When the work is complete, Central will be a five-lane roadway from McLean Boulevard to Tyler.

The project budget contained in the Capital Improvement Program is \$500,000. The funding source is General Obligation Bonds. It will be combined with two petitioned projects to add Special Assessment funding for the traffic signalization at Central and Socora.

Motion --
-- carried

Pisciotte moved that the project be approved and the Ordinance be placed on first reading. Motion carried 6 to 0. (Brewer absent)

ORDINANCE

An Ordinance declaring Central Avenue, from Tyler to Woodchuck, 472-83192, to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, introduced and under the rules laid over.

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CMF

CENTRAL MAINTENANCE FACILITY EXPANSION/WATER DISTRIBUTION MAINTENANCE FACILITY RELOCATION. (District IV)

Steve Lackey

Director of Public Works reviewed the Item.

Agenda Report No. 02-1075.

The City Council previously approved the relocation of the Water Department Distribution Maintenance Facility from its present location at 1701 Sim Park Drive to allow for the expansion and improvements to Cowtown. These maintenance operations will be relocated to the Public Works East and West Maintenance Substations and the vacated Transit Bus Maintenance Facility at 1825 South McLean Blvd.

On June 12, 2001, the City Council approved the project, amended the Water Department Capital Improvement Program (CIP) W-202, and authorized the final design and construction of the project.

Adopting the Resolution for \$500,000 will initiate the remaining CIP money.

The project is authorized in the 2002-2011 Capital Improvement Program (PB-351001 and W-202). (Project No. 435339, OCA No. 792369)

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion -- carried

Gale moved that the Resolution be adopted. Motion carried 6 to 0. (Brewer absent)

RESOLUTION NO. 02-116

A Resolution declaring it necessary to construct, reconstruct, alter and repair City facilities located at 1825 South McLean Boulevard and to acquire property in order to facilitate the expansion of the City's Central Maintenance Facility and to combine field operations of Public Works, Parks, and Water and Sewer Departments; and declaring it to be the intention of the governing body to issue City of Wichita General Obligation Bonds in an amount not to exceed \$500,000.00 relating thereto, presented. Gale moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight. (Brewer absent)

FIRE STATION

FIRE STATION CONSTRUCTION PROJECTS.

Steve Lackey

Director of Public Works reviewed the Item.

Agenda Report No. 02-1076

The 2002-2011 Capital Improvement Program provides funding for relocating eight fire stations and constructing two new stations.

In the first phase, five stations will be relocated. The station designs are complete, and the construction for the stations is currently out for bid. Following project approval and bid acceptance, construction of the first five new facilities is expected to be completed by year-end 2003.

The Fire Station Construction and Relocation Plan was approved by the Council to minimize both first- and second-in unit response times. The relocated stations will provide improved response to emergencies, and will provide more even coverage levels for both developed and developing areas of the City.

The capital budget includes \$2.65 million in 2002 and \$2.7 million in 2003 for fire station construction. The funding source is General Obligation bonds.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

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Motion --
-- carried

Knight moved that the Resolution be adopted and initiation of the project be initialized. Motion carried 6 to 0. (Brewer absent)

RESOLUTION NO. 02-117

A Resolution authorizing the issuance of Bonds by the City of Wichita at Large for the construction of public facilities, presented. Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight. (Brewer absent)

PARKING LOTS

PARKING LOTS AND ENTRY DRIVES.

Steve Lackey

Director of Public Works reviewed the Item.

Agenda Report No. 02-1077.

The Park and Recreation Department has a number of parking lots across the City which (by City code) are required to be paved. In addition, entry drives to a number of Park and Recreation facilities and sites are in various stages of disrepair and in need of major reconstruction. Facilities and sites impacted include recreation centers, swimming pools, athletic fields, and parks.

The 2002 Park Capital Improvement Program (CIP) includes funding for the paving and reconstruction of parking lots and entry drives. Paving and reconstruction of these access nodes and points will protect the City's investment in Park and Recreation facilities and enhance their use by fee-paying users, neighborhood groups, and citizens. The City has identified the need to provide paved parking at facilities in the southern half of the City in 2002.

The 2002 Park CIP includes \$450,000 for the paving and reconstruction of parking lots and entry drives at Park and Recreation facilities and sites across the City. The funding source is general obligation bonds.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --
-- carried

Knight moved that the Resolution be adopted and project initiation be authorized. Motion carried 6 to 0. (Brewer absent)

RESOLUTION NO. 02-118

A Resolution authorizing the issuance of Bonds by the City of Wichita at Large for the paving and reconstruction of park and recreation facilities and sites, presented. Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

VISITORS BUREAU

CONVENTION AND VISITORS BUREAU CONTRACT RENEWAL.

(Mayor Knight declared a conflict of interest and left the bench. Vice Mayor Pisciotte in the chair.)

Jessica Johnson

City Manager's Office reviewed the Item.

Agenda Report No. 02-1078.

The Contract for the current fiscal year has been negotiated with staff and representatives from the Wichita Convention and Visitors Bureau. The provisions of this contract will ensure the continuation of the Strategic Master Plan for Tourism, as approved in 2000. The purpose of the Plan is to build awareness of Wichita as a tourist destination; change Wichita's perception to reflect its current image and personality through targeted marketing, increase visitor traffic, and develop alternative funding sources to support tourism initiatives, both locally and regionally.

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In 2001, the Wichita Convention & Visitors Bureau received an additional increase of \$409,150, exclusive of the annual appropriation of \$1,139,170, and website and research development of \$185,000, to implement the Tourism Plan. In addition to reorganization and staffing changes, the Bureau has broadened its Board membership and expanded its tourism marketing efforts.

The proposed 2002 contract will continue (and expand) marketing efforts and focus on priority projects contained in the Strategic Master Plan for Tourism. Some of the important CVB goals for this year include: an increase in room bookings; expanded attraction and activity marketing and promotions; enhanced website and research/survey capabilities; and expanded efforts to secure private and other funding sources to support tourism initiatives (including more efforts to secure grants and other funding sponsorships). The internal marketing program will be handled by the City's Marketing Services.

The proposed budget with the Convention and Tourism Bureau provides for funding in the amount of \$1,163,330. To enable the Bureau to expand its efforts and to continue to implement the Strategic Master Plan for Tourism an additional \$500,000 has been allocated in the revised budget. The 2002 Contract increases the CVB's allocation \$248,330 (18%) over the 2001 contract, from \$1,415,000 to \$1,663,330. The City will also increase the allocation for research/marketing to \$100,000 in 2002. This amount includes the financial contribution toward internal marketing from Sedgwick County. The Guest Tax collections increased 8% in 2001; however, a significant portion of the increase was due to a State Department of Revenue distribution error that was identified and corrected (receipts due to Wichita had been erroneously credited to another jurisdiction). Guest Tax collections are budgeted to increase 1% in 2002, which is a revised projection based on the impact of September 11th and the current economic conditions.

Vice Mayor Pisciotte

Vice Mayor Pisciotte inquired whether anyone wished to be heard and no one appeared.

Motion --

-- carried

Pisciotte moved that the Contract be approved, and the necessary budget adjustments and signatures be authorized. Motion carried 5 to 0. (Brewer, Knight; absent)

(Mayor Knight present and in the chair)

HUD

2002-2003 HUD COMBINED ALLOCATIONS.

Tom Smith

Grants-In-Aid Coordinator reviewed the Item.

Agenda Report No. 02-1079.

On November 6, 2001, the City Council took action to reaffirm its community priorities, and designated funding for these priority programs and services provided/funded by the City. Based on prior City Council funding actions, applications were solicited for the undesignated funding and for Special Programming through a competitive Request for Proposals (RFP) process.

The Grants Review Committee, appointed by the City Council, held its public hearing on February 5, 2002 to provide an opportunity for interested persons to address the Committee regarding housing and community development needs. The Committee also received/heard requests for the undesignated HOME and ESG funding. The Grants Review Committee spent many hours in additional meetings reviewing applications and considering comments from the public.

The 2002-2003 combined HUD funding for Wichita includes: (1) Community Development Block Grant (CDBG) - \$3,902,000; (2) HOME Investments Partnership (HOME) - \$2,068,000; and (3) Emergency Shelter Grant (ESG) - \$143,019. As a result of its prior actions, the City Council has designated the following:

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| <u>Source</u> | <u>Designated Funding</u> | <u>Undesignated Funding</u> | <u>Total</u> |
|---------------|-------------------------------|---------------------------------|------------------|
| CDBG | \$3,902,000 | \$-0- | \$3,902,000 |
| HOME | \$1,718,000 | \$350,000 | \$2,068,000 |
| ESG | <u>\$6,650</u> | <u>\$136,369</u> | <u>\$143,019</u> |
| Total | \$5,626,650 | \$486,369 | \$6,113,019 |

The policy decisions for City Council are:

1. Reduced Funding

The actual 2002/2003 CDBG grant allocation from HUD is \$77,000 less than originally anticipated. The anticipated amount (and the amount previously designated by the City Council) was \$3,902,000. The actual grant amount is \$3,825,000. Staff recommends utilizing \$77,000 from prior year completed project savings to provide funding for projects previously designated by the City Council.

2. Request for Proposals (RFP)

Based on prior Council actions, RFP's were solicited for specific programs. A Staff Screening and Selection Committee has reviewed the Request for Proposals for the following program categories: Women's Services; Youth Recreation/Enrichment; and Summer Youth Employment/Enrichment.

3. Neighborhood/Community Facilities

The City Council designated \$225,000 for Neighborhood/Community facilities. These funds are intended to be utilized either for new community facilities/buildings, or for deferred maintenance on eligible City-owned facilities. From this amount, Staff recommends \$215,000 be utilized for Riverside Park improvements. This action will permit local funds to be used to meet City obligations for the Day Reporting Center, as previously acted upon by the City Council. It is recommended that the balance of these funds for 2002-2003 be used for deferred maintenance of community facilities/buildings.

4. Neighborhood Stabilization/Revitalization

The City Council has previously reserved \$287,119 to utilize in an overall neighborhood improvement strategy that would complement Inner-City Redevelopment Incentives and the approved Neighborhood Revitalization Plan. The City Council may determine the specific eligible use(s) for this funding. The City Council may utilize this funding for any eligible CDBG purpose, except for Public Services, subject to federal allocation limits and regulations.

5. Environmental Health

The City Council has previously designated \$60,000 for the Colvin Health Station. Due to the consolidation of the Health Department, the \$60,000 for the Colvin Health Station has been proposed for use in Environmental Health.

In addition, approval of the recommendations under the Community Development Block Grant (CDBG) program would specifically address Inner-City Redevelopment Incentives in the following areas:

| | |
|--|------------------|
| Emergency Home Repair Program | \$400,000 |
| Paint Grant Program | \$100,000 |
| Rental Housing Low Interest Revolving Loan Program | \$200,000 |
| Exterior Repair Program | \$100,000 |
| Secondary Structure Demolition | 15,000 |
| Neighborhood Clean-Up | <u>\$ 12,600</u> |
| Total | \$827,600 |

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HOME Investment Funds

1. Undesignated CHDO Funding

The Grants Review Committee and staff have provided funding recommendations for undesignated CHDO (housing program assistance) funding. These recommendations include funding support for: Mennonite Housing Rehabilitation Services, Inc. for proposed rehabilitation, or new construction of single family units for homeownership in one of the five the Local Investment Areas; and, Power CDC to construct additional new, scattered site, single-family homes in the Northeast Local Investment Area (including the McAdams area).

2. Increased Funding

The actual 2002/2003 HOME grant from HUD is \$1,000 more than originally anticipated. The projected amount (and the amount designated by the City Council) was \$2,067,000. Staff recommends utilizing the additional \$1,000 for NRA Residential Development/Housing Initiatives.

Emergency Shelter Grants

1. Undesignated Funding

Total ESG funds increased by \$10,019 to \$143,091 (including prior year funds). Staff supports the recommendation of the Grants Review Committee for ESG undesignated funding. The Grants Review Committee was aware of the Community Council on Homeless Advocacy priorities and proposed funding needs.

The actual 2002-2003 CDBG allocation was reduced from the projected amount. The actual HOME allocation increased and the total Emergency Shelter Grant funds increased. The total proposed allocation for the 2002-2003 HUD Combined Allocations and the One-Year Action Plan is \$6,113,019, of which \$5,626,650 has been previously determined (as designated priorities) by the City Council for priority programs/services. These allocations will be effective July 1, 2002.

Each grant program is restricted to certain federal allocation limits, which cannot be exceeded; however, these allocations can be less. In 2002-2003, these restricted limits (by grant) are:

| | | |
|-------------------------|-------------|--|
| CDBG | \$1,163,310 | Public Services |
| | \$765,000 | Planning and Administration |
| HOME Funds | \$310,200 | Neighborhood-Based Non-Profits (CHDOs) |
| (Minimum) | \$206,800 | Administration |
| Emergency Shelter Funds | \$39,900 | Essential Service |
| | \$39,900 | Homeless Prevention |
| | \$6,650 | Administration |

The national objectives of the Community Development Act are to principally benefit low/moderate income persons, eliminate slum and blight, or meet other urgent community needs. The HOME program also must primarily benefit low/moderate income persons, and the Emergency Shelter program must benefit homeless persons. Allocation of Consolidated Grant funds is also subject to individual federal eligibility rules regarding specific activities/programs and national objectives of primarily benefiting low-income persons, or addressing conditions of slum/blight. The process by which grant funds are authorized by the City Council is a matter of local determination, providing all HUD eligibility requirements are met. The City Council has the authority to solicit proposals, or to reserve grant funds for community priority needs and programs, as determined by the City Council.

The City has met all federal requirements in the allocation of funds. Prior to final allocations and payments, each project must be verified for eligibility for use of the respective grant funds. Subsequent to the allocation of funds, staff will prepare a One-Year Action Plan of activities to be funded. The One-Year Action Plan will be presented to City Council and will be made available for a required thirty

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(30) day public review/comment period. At the end of the comment period, the final plan will be presented for approval and authorization to submit to HUD.

Virginia White

Kansas Food Bank, responding to a question, said the Kansas Food Bank started construction on a new building in the core area. Many changes have occurred while ensuring the ability of the Food Bank to serve those in need. There are pledges of over \$1 million.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Knight moved that funding allocations for the City's 2002-2003 HUD Consolidated Plan/Combined Application, based upon recommended funding amounts be approved; use of the prior year CDBG and ESG savings to bring total 2002-2003 CDBG and ESG funding levels to the recommended amounts, as recommended be approved; the additional \$1,000 in HOME funds to NRA Residential Development be allocated; the Request for Proposal services/programs, as recommended, be approved; use and allocations for \$225,000 CDBG Neighborhood/Community Facilities funding, as recommended, be designated; use and allocations for \$287,119 CDBG Neighborhood Stabilization and Revitalization funding, as recommended, be designated; the Grants Review Committee's recommendation on HOME CHDO funding be approved; the Grants Review Committee's recommendations on Emergency Shelter Grant funding be approved; and preparation of the One-Year Action Plan be authorized. Motion carried 6 to 0. (Brewer absent)

-- carried

CITY COUNCIL AGENDA

APPOINTMENTS

BOARD APPOINTMENTS:

No appointments were made.

CONSENT AGENDA

Motion --

Knight moved that the Consent Agenda be approved as consent Items. Motion carried 6 to 0. (Brewer absent)

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED MARCH 4, 2002.

Bids were opened February 15, 22 and March 1, 2002, pursuant to advertisements published on:

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications.

Water supply line in MacArthur from Minnesota to Englewood - in MacArthur at the Arkansas River. (448-89576/633738/751832) Traffic to be maintained during construction using flagpersons and barricades. (District III)

Dondlinger & Sons - \$158,852.60

Water supply line in Tyler Road from north of 29th Street North to south of 37th Street North - in Tyler Road from 29th Street North to 37th Street North. (448-89596/735033/470703) Traffic to be maintained during construction using flagpersons and barricades. (District V)

Dondlinger & Sons - \$104,964.76

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Water distribution system to serve Reece Farms Estates - south of Maple, west of 151st Street West. (448-89239/735041/470711) Does not affect existing traffic. (District V)

Duling Construction - \$30,630.00

Lateral 18 Cowskin Interceptor Sewer to serve Reece Farms Estates - south of Maple, west of 151st Street West. (468-82831/743908/480596) Does not affect existing traffic. (District V)

Dondlinger & Sons - \$72,614.00

Main 12, Sanitary Sewer 23 to serve Eagles Landing at North Oliver Second Addition - south of 45th Street North, west of Oliver. (468-83241/743903 /480591) Traffic to be maintained during construction using flagpersons and barricades. (District I)

Utility Contractors - \$1,164,130.00

2002 Contract maintenance mill & overlay Phase 1 - north of Pawnee, east of Seneca. (472-83476/132712/620333)/662456) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, II & III)

Cornejo & Sons Construction - \$689,400.00 (Engineer's estimate)

2002 Contract maintenance street rehabilitation and asphalt overlay - north of Harry, east of Meridian. (472-83486/132712) Traffic to be maintained during construction using flagpersons and barricades. (District II)

Cornejo & Sons Construction - \$108,000.00 (Engineer's estimate)

2002 Contract maintenance area concrete reconstruction Phase 1 - Pawnee, Sheridan to Leonine. (472-83487/132712/) Traffic to be maintained during construction using flagpersons and barricades. (District IV)

Barkley Construction - \$150,000.00 (Engineer's estimate)

Paving Wawona in connection with Main 10 Four Mile Creek Sewer - south of 21st Street North, east of K-96. (472-83390/624503/699003) Does not affect existing traffic. (District II)

APAC – Kansas Inc. - \$75,984.25

Lavon area sanitary sewer improvements, Phase 2 - east of Hillside, north of 13th Street North. (468-83307/624071/651524) Traffic to be maintained during construction using flagpersons and barricades. (District I)

WB Carter Construction - \$66,000.00

Lateral 5, Main 2, Cowskin Interceptor Sewer to serve Auburn Hills 12th Addition - north of Kellogg, west of 135th Street West. (468-83179/743905 /480593) Does not affect existing traffic. (District V)

WB Carter Construction - \$55,046.00

2002 Contract maintenance arterial area concrete reconstruction Phase 2 - north of Pawnee, east of Tyler. (472-83489/132712) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,II,III&V)

McFadden Construction - \$180,000.00 (Award Amount)

Highland Springs from the northwesterly line of Lot 20, Block C, west to the west line of the plat; Remington Lane from the southwesterly line of Remington Lane Court, west of the northwesterly line

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of Lot 13, Block D; Bluegrass from the south line of Remington Lane south to the southwesterly line of Bluegrass Court; Highland Springs Courts, from the north line of Highland Springs, north to and including the cul-de-sac, and from the north line of Highland Springs, north to and including the cul-de-sac; Remington Lane Court from the north line of Remington Lane, north to and including the cul-de-sac; Bluegrass Court, from the south line of Bluegrass, south to and including the cul-de-sac, and; Sidewalk along both sides of Highland Springs from northwesterly line of Lot 20, Block C, to the west line of the plat, on one side of Remington Lane from the southwesterly line of Remington Lane Court to the northwesterly line of Lot 13, Block D, and on one side of Bluegrass from the south line of Remington Lane to the southwesterly line of Bluegrass Court to serve Highland Springs 2nd Addition - west of 135th Street West, south of Central. (472-83143/765709/490820) Does not affect existing traffic. (District V)

Ritchie Paving - \$243,199.25

Storm Water Sewer 564 to serve The Gateway Center Addition - south of 13th Street North, east of Greenwich) (468-83374/751308/485199) Does not affect existing traffic. (District II)

Mies Construction - \$166,230.00

Water Distribution System to serve Auburn Hills 12th Addition - south of Maple, west of 135th Street West. (448-89516/735040/470710) Does not affect existing traffic. (District V)

Mies Construction - \$38,277.30

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 6 to 0. (Brewer absent)

WATER & SEWER DEPARTMENT/PRODUCTION & PUMPING DIVISION: New Toc Analyzer with Autosampler and Components. (183632)

Tekmar Dohrmann - \$32,216.95 (Total net bid)

PUBLIC WORKS DEPARTMENT/MAINTENANCE DIVISION: Four-Wheel Drive 90 P.T.O. HP Rubber-Tired Tractor with Cab. (132225)

Wichita Tractor Company - \$37,087.00 (Total net base bid)
\$ 6,792.00 (Option #1/add)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Demolition and Off-Site Removal of 457 South Woodlawn (The Church of the Magdalen). (702310)

Key Construction, Inc. - \$37,000.00 (Total net bid)

VARIOUS DEPARTMENTS/VARIOUS DIVISIONS: Tire Repair and Service. (130849)

Wiechman-Bush Tire Inc.* - \$12.00 (Group 1/item 1/per each)
\$ 5.00 (Group 1/item 2/per each)
\$10.00 (Group 1/item 3/per each)
\$10.00 (Group 1/item 4/per each)
\$12.00 (Group 1/item 19/per each)
\$12.00 (Group 1/item 20/per each)
\$15.00 (Group 1/item 21/per each)
\$15.00 (Group 1/item 22/per each)
\$ 7.50 (Group 1/item 23/per each)
\$15.00 (Group 1/item 24/per each)
\$10.00 (Group 1/item 25/per each)
\$10.00 (Group 1/item 26/per each)
\$10.00 (Group 1/item 27/per each)

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\$10.00 (Group 1/item 28/per each)
\$10.00 (Group 1/item 29/per each)
\$15.00 (Group 1/item 30/per each)
\$15.00 (Group 1/item 31/per each)
\$30.00 (Group 1/item 32/per each)
\$30.00 (Group 1/item 33/per each)
\$15.00 (Group 1/item 34/per each)
\$ 1.00 (Group 1/item 35/per each)
\$15.00 (Group 1/item 36/per each)
\$ 7.50 (Group 1/item 37/per each)
\$15.00 (Group 1/item 38/per each)
\$12.50 (Group 1/item 39/per each)
\$12.50 (Group 1/item 40/per each)
\$12.50 (Group 1/item 41/per each)
\$12.50 (Group 1/item 42/per each)
\$12.50 (Group 1/item 43/per each)
\$15.00 (Group 1/item 44/per each)
\$25.00 (Group 1/item 45/per each)
\$40.00 (Group 1/item 46/per each)
\$40.00 (Group 1/item 47/per each)
\$15.00 (Group 1/item 48/per each)
\$ 7.50 (Group 1/item 49/per each)
\$15.00 (Group 1/item 50/per each)
\$12.50 (Group 1/item 51/per each)
\$12.50 (Group 1/item 52/per each)
\$12.50 (Group 1/item 53/per each)
\$12.50 (Group 1/item 54/per each)
\$12.50 (Group 1/item 55/per each)
\$15.00 (Group 1/item 56/per each)
\$25.00 (Group 1/item 57/per each)
\$40.00 (Group 1/item 58/per each)
\$40.00 (Group 1/item 59/per each)
\$15.00 (Group 1/item 60/per each)
\$ 1.00 (Group 1/item 61/per each)
\$10.00 (Group 1/item 62/per each)
\$ 7.50 (Group 1/item 63/per each)
\$15.00 (Group 1/item 64/per each)

*Primary Vendor

TCI/Tire Centers, LLC** \$20.00 (Group 1/item 1/per each)
\$20.00 (Group 1/item 2/per each)
\$20.00 (Group 1/item 3/per each)
\$20.00 (Group 1/item 4/per each)
\$20.00 (Group 1/item 5/per each)
\$21.00 (Group 1/item 6/per each)
\$40.00 (Group 1/item 7/per each)
\$40.00 (Group 1/item 8/per each)
\$40.00 (Group 1/item 9/per each)
\$40.00 (Group 1/item 10/per each)
\$40.00 (Group 1/item 11/per each)
\$42.00 (Group 1/item 12/per each)
\$ 6.00 (Group 1/item 13/per each)
\$ 8.00 (Group 1/item 14/per each)
\$10.00 (Group 1/item 15/per each)
\$12.00 (Group 1/item 16/per each)
\$ 8.00 (Group 1/item 17/per each)
\$14.00 (Group 1/item 18/per each)
\$22.00 (Group 1/item 19/per each)
\$24.00 (Group 1/item 20/per each)

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\$25.00 (Group 1/item 21/per each)
\$ 3.00 (Group 1/item 22/per each)
\$ 6.00 (Group 1/item 23/per each)
\$ 7.00 (Group 1/item 24/per each)
\$ 7.00 (Group 1/item 25/per each)
\$ 9.00 (Group 1/item 26/per each)
\$13.00 (Group 1/item 27/per each)
\$16.00 (Group 1/item 28/per each)
\$ 9.00 (Group 1/item 29/per each)
\$18.00 (Group 1/item 30/per each)
\$25.00 (Group 1/item 31/per each)
\$27.00 (Group 1/item 32/per each)
\$29.00 (Group 1/item 33/per each)
\$ 3.00 (Group 1/item 34/per each)
\$ 1.05 (Group 1/item 35/per each)
\$20.00 (Group 1/item 36/per each)
\$ 6.50 (Group 1/item 37/per each)
\$14.00 (Group 1/item 38/per each)
\$ 6.00 (Group 1/item 39/per each)
\$ 8.00 (Group 1/item 40/per each)
\$10.00 (Group 1/item 41/per each)
\$12.00 (Group 1/item 42/per each)
\$ 8.00 (Group 1/item 43/per each)
\$14.00 (Group 1/item 44/per each)
\$22.00 (Group 1/item 45/per each)
\$24.00 (Group 1/item 46/per each)
\$25.00 (Group 1/item 47/per each)
\$ 3.00 (Group 1/item 48/per each)
\$ 6.00 (Group 1/item 49/per each)
\$ 7.00 (Group 1/item 50/per each)
\$ 7.00 (Group 1/item 51/per each)
\$ 9.00 (Group 1/item 52/per each)
\$13.00 (Group 1/item 53/per each)
\$16.00 (Group 1/item 54/per each)
\$ 9.00 (Group 1/item 55/per each)
\$18.00 (Group 1/item 56/per each)
\$25.00 (Group 1/item 57/per each)
\$27.00 (Group 1/item 58/per each)
\$29.00 (Group 1/item 59/per each)
\$ 3.00 (Group 1/item 60/per each)
\$ 1.05 (Group 1/item 61/per each)
\$20.00 (Group 1/item 62/per each)
\$ 6.50 (Group 1/item 63/per each)
\$14.00 (Group 1/item 64/per each)

**Secondary Vendor

PUBLIC WORKS DEPARTMENT/FLEET & MAINTENANCE DIVISION: Regional Library and Fire Stations 4, 7, 12, 13 & 19. (792809)

Key Construction - \$5,150,000.00 (Group 1/base bid 1)
\$ 24,500.00 (Group 1/alternate 1A1)
\$ 16,200.00 (Group 1/alternate 1A2)
\$ 12,400.00 (Group 1/alternate 1A3)
\$ 33,200.00 (Group 1/alternate 1A4)
\$ 19,500.00 (Group 1/alternate 1A5)
\$ 9,000.00 (Group 1/alternate 1A6)
\$ 3,440.00 (Group 1/alternate 1A7)
\$ 16,000.00 (Group 1/alternate 1A8)
\$ 5.25 (Group 1/unit price 1)

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\$ 6.80 (Group 1/unit price 2)
\$ 2.50 (Group 1/unit price 3)

Caro Construction -\$1,998,000.00 (Group 2/Base bid 2)
\$ 17,923.00 (Group 2/alternate 2A1)
\$ 26,853.00 (Group 2/alternate 2A2)
\$ 31,292.00 (Group 2/alternate 2A3)
\$ 7,196.00 (Group 2/alternate 2A4)
\$ 6,340.00 (Group 2/alternate 2A5)
\$ 7,262.00 (Group 2/alternate 2A6)
\$ 8.00 (Group 2/unit price 1)
\$ 35.00 (Group 2/unit price 2)
\$ 6.00 (Group 2/unit price 3)

Sauerwein Construction - \$1,049,000.00 (Group 3/base bid 3)
\$ 8,400.00 (Group 3/alternate 3A1)
\$ 14,700.00 (Group 3/alternate 3A2)
\$ 12,500.00 (Group 3/alternate 3A3)
\$ 3,900.00 (Group 3/alternate 3A4)
\$ 3,965.00 (Group 3/alternate 3A5)
\$ 1,450.00 (Group 3/alternate 3A6)
\$ 62,100.00 (Group 3/alternate 3A7)
\$ 5.50 (Group 3/unit price 1)
\$ 7.00 (Group 3/unit price 2)
\$ 2.40 (Group 3/unit price 3)

HOUSING SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION: Construction of Gazebo, Concrete Patio and Garden Beds. (097805)

S&A Construction - \$40,998.00 (Total net bid)

HOUSING SERVICES DEPARTMENT/PUBLIC SERVICES DIVISION: Removal and Replacement of Driveways, Approaches, Sidewalks and Porches. (097817)

McFadden Construction - \$32,000.00 (Total net bid)

HOUSING SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION: Trash Carts and Collection Services. (097027)

Waste Management of Wichita – \$ 2.00 (Group 2/item 2/per residence/per month)
\$12.50 (Group 4/item 8/per residence/per month)

FIRE DEPARTMENT/OPERATIONS DIVISION: High Pressure Self-Contained Breathing Apparatus. (792359)

Interspiro Inc. - \$460,001.60 (Total net bid)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Infield Wall Pads at Lawrence Dumont Stadium. (792051)

Oilfield Shelters Inc. - \$13,880.00 (Total net bid)

AIRPORT AUTHORITY DEPARTMENT/ENGINEERING DIVISION: Road Construction and Rehabilitation. (500910)

Ritchie Paving Inc. - \$631,666.08 (Total net bid)

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AIRPORT AUTHORITY DEPARTMENT/ENGINEERING DIVISION: Mid-Continent Airport Rehabilitation of Terminal Apron Phase 1 & 2 and Runway 1R-19L Shoulders and Blast Pads. (500810)

Pavers, Inc. - \$544,293.00 (Total net bid)

PUBLIC WORKS DEPARTMENT/STREET MAINTENANCE DIVISION: Salt Brine System: Slip-in Application, Storage Tank & Production System. (132209)

Sprayer Specialties, Inc. - \$50,302.00 (Group 2/total net bid)

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 6 to 0. (Brewer absent)

LICENSES

APPLICATIONS FOR LICENSES FOR ADULT ENTERTAINMENT ESTABLISHMENTS /SERVICES:

Renewal - Adult Entertainment

| | | |
|--------------------|-----------------|-------------------|
| Valerie Washington | Xcitement Video | 1515 South Oliver |
| Valerie Washington | Xcitement Video | 1306 East Harry |

New Escort Service

| | | |
|--------------|-----------------------|----------------------|
| Sonia Barnes | Class Act Productions | 209 South Washington |
|--------------|-----------------------|----------------------|

Motion --
-- carried

Knight moved that the License Applications be approved subject to Staff review and approval. Motion carried 6 to 0. (Brewer absent)

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

| <u>Renewal</u> | <u>2002</u> | <u>(Consumption off Premises)</u> |
|----------------|----------------|-----------------------------------|
| David Holthe | Coastal #37303 | 3810 North Woodlawn |
| David Holthe | Coastal #39102 | 7101 East Lincoln |
| David Holthe | Coastal #39112 | 10723 West HWY 54 |
| David Holthe | Coastal #39114 | 8008 East 21st Street |
| David Holthe | Coastal #39157 | 1925 West 21st Street North |
| David Holthe | Coastal #39189 | 8330 East Kellogg |
| David Holthe | Coastal #57708 | 7990 East Central |

| <u>New Establishment</u> | <u>2002</u> | <u>(Consumption on Premises)</u> |
|--------------------------|-----------------------------|----------------------------------|
| William Embree | Storm's Entertainment, Inc. | 2034-38 North Amidon |
| Linda J. Brill | Uncle Russell's BBQ* | 1548 Ida |

| <u>New Establishment</u> | <u>2002</u> | <u>(Consumption off Premises)</u> |
|--------------------------|------------------------------------|-----------------------------------|
| Jay A. Johnson | Johnson's General Stores, Inc. #09 | 2920 West Central |
| David Bullington | Wal-Mart Supercenter #3492 | 11411 East Kellogg |

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion --
-- carried

Knight moved that the License Applications be approved subject to Staff review and approval. Motion carried 6 to 0. (Brewer absent)

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PLANS AND SPECS. SUBDIVISION PLANS AND SPECIFICATIONS.

There were no Subdivision Plans and Specifications submitted.

PRELIMINARY ESTS. PRELIMINARY ESTIMATES:

- a) Carr between Lark and Stony Point to serve Unplatted Tracts in the NW 1/4 of Section 31, TWP27S, R1W - south of Kellogg, west of Maize Road. (472-83381/765685/490796) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$81,900
- b) Pave Mead from Lincoln to Bayley, on the west side of the railroad tracks to serve Perry's Addition - south of Lincoln, west of Washington. (472-83317/765674/490785) Traffic to be maintained during construction using flagpersons and barricades. (District I) - \$92,000
- c) Lateral 479, Southwest Interceptor to serve Collins First Addition - at the northeast intersection of Lark Lane and Carr. (468-83352/743897/480585) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$31,200
- d) 2002 sanitary sewer rehabilitation, Phase B (various locations) - north of Kellogg, east of West Street. (468-83405/620334/662457) Traffic to be maintained during construction using flagpersons and barricades. (District II, IV) - \$226,000
- e) Lateral 313, Four Mile Creek Sewer to serve Equestrian Estates - south of Harry, east of 127th Street East. (468-83317/743896/480584) Does not affect existing traffic. (District II) - \$380,000

Motion -- Knight moved that the Preliminary Estimates be received and filed. Motion carried 6 to 0.
-- carried (Brewer absent)

EAGLES LANDING PETITION TO CONSTRUCT A WATER DISTRIBUTION SYSTEM TO SERVE EAGLES LANDING AT NORTH OLIVER SECOND ADDITION – SOUTH OF 45TH STREET NORTH, WEST OF OLIVER. (District I)

Agenda Report No. 02-1080

The Petition has been signed by one owner, representing 100% of the improvement district.

This project will extend water service to a new residential development on the south side of 45th Street North, west of Oliver.

The Petition totals \$470,000, with \$80,000 assessed to the improvement district and \$390,000 paid by the Water Utility. The Utility share is for the portion of the project that will serve future development outside the improvement district.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 6 to 0.
-- carried (Brewer absent)

RESOLUTION NO. 02-119

Resolution of findings of advisability and Resolution authorizing improving of Water Distribution System Number 448-89672 (south of 45th Street North, west of Oliver), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

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MCCLAREN

PETITION TO CONSTRUCT A WATER DISTRIBUTION SYSTEM TO SERVE PART OF MCCLAREN ADDITION – NORTH OF CENTRAL, EAST OF WEBB. (District II)

Agenda Report No. 02-1081

The Petition has been signed by one owner, representing 100% of the improvement district.

This project will extend water service to a single-family residence.

The Petition totals \$3,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion --
-- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 6 to 0. (Brewer absent)

RESOLUTION NO. 02-120

Resolution of findings of advisability and Resolution authorizing improving of Water Distribution System Number 448-89664 (north of Central, east of Webb), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

GATEWAY CENTER

PETITION TO CONSTRUCT DRAINAGE IMPROVEMENTS TO SERVE THE GATEWAY CENTER ADDITION – SOUTH OF 13TH, EAST OF GREENWICH. (District II)

Agenda Report No. 02-1082

On March 27, 2001, the City Council approved drainage projects to serve The Gateway Center Addition. Based on recent bid prices, it is doubtful a construction contract can be awarded within the budgets set by the Petitions. The developer has submitted new Petitions with increased budgets. The signature on the Petitions represents 100% of the improvement districts.

The drainage projects will serve a new commercial development located south of 13th, east of Greenwich.

The original Petitions totaled \$221,000. The new Petitions total \$341,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of the majority of the property in the improvement district.

Motion --
-- carried

Knight moved that the Petitions be approved and the Resolutions be adopted. Motion carried 6 to 0. (Brewer absent)

RESOLUTION NO. 02-121

A Resolution amending Resolution No. 01-117 pertaining the construction of Storm Water Drain No. 159 (south of 13th Street, east of Greenwich), 468-83208, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

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RESOLUTION NO. 02-122

A Resolution amending Resolution No. 02-263 pertaining to the construction of Storm Water Sewer No. 564 (south of 13th Street, east of Greenwich) Project No. 468-83374, in the City of Wichita, Kansas, pursuant to Findings of Advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

SHELLY'S ORCHARD PETITIONS FOR STREET PAVING, SANITARY SEWER, AND WATER DISTRIBUTION SYSTEM TO SERVE SHELLY'S ORCHARD ADDITION – EAST OF MAIZE, NORTH OF PAWNEE. (District V)

Agenda Report No. 02-1083

The Petitions have been signed by one owner, representing 100% of the improvement districts.

These projects will provide paving, sanitary sewer, and water service to a new residential development.

The Petitions total \$402,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion --
-- carried

Knight moved that the Petitions be approved and the Resolutions be adopted. Motion carried 6 to 0. (Brewer absent)

RESOLUTION NO. 02-123

Resolution of findings of advisability and Resolution authorizing improving of Water Distribution System Number 448-89663 (east of Maize, north of Pawnee), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

RESOLUTION NO. 02-124

Resolution of findings of advisability and Resolution authorizing improving of Lateral 482, Southwest Interceptor Sewer (east of Maize, north of Pawnee) 468-83407, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

RESOLUTION NO. 02-125

Resolution of findings of advisability and Resolution authorizing improving Lydia, from the west line of Crestline to the east line of Lydia Court; Lydia Court from the north line of Lydia to and including cul-de-sac (Lots 34-45, Block 1); Lydia Court, from the north line of Lydia, to and including cul-de-sac (Lots 46-54, Block 1); Crestline Court, from the west line of Crestline, to and including cul-de-sac (Lots 24-34, Block 2); and Crestline from the north line of Lydia to the north line of Lot 34, Block 2. Sidewalk installed along Crestline, (east of Maize, north of Pawnee) 472-83493, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

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SMITHMOOR 10TH

PETITIONS FOR STREET PAVING AND WATER DISTRIBUTION SYSTEM TO SERVE SMITHMOOR TENTH ADDITION – NORTH OF PAWNEE, WEST OF GREENWICH.
(District II)

Agenda Report No. 02-1084

The Petitions have been signed by one owner, representing 100% of the improvement districts.

These projects will provide paving and water service to a new residential development.

The Petitions total \$727,800. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion --
-- carried

Knight moved that the Petitions be approved and the Resolutions be adopted. Motion carried 6 to 0.
(Brewer absent)

RESOLUTION NO. 02-126

Resolution of findings of advisability and Resolution authorizing improving of Water Distribution System Number 448-89666 (north of Pawnee, west of Greenwich), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

RESOLUTION NO. 02-127

Resolution of findings of advisability and Resolution authorizing improving of Water Distribution System Number 448-89667 (north of Pawnee, west of Greenwich), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, present. Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

RESOLUTION NO. 02-128

Resolution of findings of advisability and Resolution authorizing improving Funston, from Smithmoor to the west line of Lot 37, Block 2, Pierce Circle, north of Funston including the cul-de-sac; Leanne Lane, north of Funston including the cul-de-sac, (north of Pawnee, west of Greenwich) 472-83498, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight. (Brewer absent)

RESOLUTION NO. 02-129

Resolution of findings of advisability and Resolution authorizing improving Smithmoor Street, south of the north line of Lot 1, Block 2, including the cul-de-sacs; Bluestem Circle, east of Smithmoor including the cul-de-sac, (north of Pawnee, west of Greenwich) 472-83499, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

BOARDS MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Alternative Correctional Housing Advisory Board, November 15, 2001
Wichita Employee's Retirement System Meeting, December 19, 2001
Police & Fire Retirement System Meeting, December 19, 2001
Metropolitan Area Planning Commission, December 20, 2001

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Board of Appeals of Plumbers and Gas Fitters, January 2, 2002
Board of Code Standards and Appeals, January 7, 2002
Board of Electrical Appeals -Office of Central Inspection, January 8, 2002
Wichita-Sedgwick County Arts Council, January 10, 2002
Metropolitan Area Planning Commission, January 10, 2002
Board of Park Commissioners, January 14, 2002
Design Council, January 17, 2002
Board of Appeals of Refrigeration, Air Conditioning, Warm Air Heating and Boilers, January 31, 2002

Motion -- carried Knight moved that the Minutes be received and filed. Motion carried 6 to 0. (Brewer absent)

STREET CLOSURES **CONSIDERATION OF STREET CLOSURES/USES.**

There were no street closures submitted.

CLAIMS ALLOWED **REPORT ON CLAIMS ALLOWED JANUARY 2002:**

| <u>Name of Claimant</u> | <u>Amount</u> |
|-----------------------------|-------------------|
| SW Bell | \$1510.33** |
| SW Bell | \$527.71 |
| SW Bell | \$4635.04** |
| Villa Del Mar | \$250.00 |
| Villa Del Mar Apts. | \$7,899.52 |
| Chaucer Estates | \$960.00 |
| Villa Del Mar (Farm Bureau) | \$8,160.36 |
| Kansas Gas Service | \$471.66** |
| Kansas Gas Service | \$212.37** |
| Kansas Gas Service | \$486.07** |
| Kansas Gas Service | \$332.05** |
| Kansas Gas Service | \$1631.43** |
| Kansas Gas Service | \$1829.49** |
| Kansas Gas Service | <u>\$267.33**</u> |
| TOTAL | \$29,173.36 |

** Settled for lesser amount than claimed.

Motion -- carried Knight moved that the report be received and filed. Motion carried 6 to 0. (Brewer absent)

WILSON FARMS **AGREEMENTS (4) TO RESPREAD ASSESSMENTS: WILSON FARMS THIRD ADDITION - SOUTH OF 21ST STREET NORTH, EAST OF ROCK ROAD.** (District II)

Agenda Report No. 02-1085

The landowners, Jon K. Jones & Pat A. Jones; Wilson Residential Company, L.L.C. and Ritchie Building Company, Inc., platted Wilson Farms 3rd Addition and have submitted four Agreements to respread special assessments within the Addition.

The land was originally included in numerous improvement districts for a number of public improvement projects. The purpose of the Agreements is to respread special assessments on an equal share basis for each lot. Without the Agreements, the assessments will be spread on a square foot basis. The Agreements will equalize the assessments for each lot, making it easier to market the lots.

Motion -- Knight moved that the Agreements/Contracts be approved and the necessary signatures be authorized.
-- carried Motion carried 6 to 0. (Brewer absent)

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ENCROACHMENT EASEMENT ENCROACHMENT AGREEMENT – 13433 WEST LINKS. (District V)

Agenda Report No. 02-1086

The Agreement allows Goentzel Construction to occupy and construct for 13433 West Links, improvements over and across the aforesaid public easement described as a 20 ft. easement centered along the southeasterly lot line of Lot 17, Block A, Auburn Hills 9th Addition, hereinafter referred to as Tract "A" and waives all rights of action in law arising out of the encroachment into the easement. The improvement is an existing garage overhang to extend 12 inches into the easement on the above-mentioned property.

The Agreement allows the City to be held harmless from any and all claims resulting from leaking, cave-in or failure of said sewer line lying within Tract "A" and from claims resulting from replacement or upgrade of lines, manholes, and/or other department property in the easement.

The Law Department has reviewed the Easement Agreement and approved it as to form.

Motion -- Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
-- carried Motion carried 6 to 0. (Brewer absent)

NE BALL COMPLEX NORTHEAST BASEBALL COMPLEX. (District II)

Agenda Report No. 02-1087

In December 1995, the Northeast Baseball Association (NBSA) proposed a partnership with the City of Wichita, Parks and Recreation Department to develop a Northeast Baseball Complex.

The complex initially would consist of four fields and would have ten fields when completed. The master planning design for the baseball complex is complete.

On September 11, 2001, the City Council approved the project and authorized Staff to select a design Consultant to prepare Schematic Design for the initial four fields.

Request for Proposals (RFP) were solicited from design firms on October 8, 2001. Five firms responded as follows: Howard & Helmer Architects, McCluggage Van Sickle and Perry Corporation, Spangenberg Phillips Architects, Landworks Studio, and MKEC Engineering. The Staff Screening and Selection Committee interviewed the firms of Howard & Helmer Architects, McCluggage Van Sickle and Perry Corporation, and Spangenberg Phillips Architects. The committee selected the firm of McCluggage Van Sickle and Perry Corporation for the project. Design services will be provided for a stipulated lump sum fee (including reimbursable expenses) of forty-one thousand three hundred seventy dollars (\$41,370.00)

The project is authorized in the 2002 – 2011 Capital Improvement Program. The funding source is General Obligation Bonds. (Project No. 435322, OCA No. 792352)

Motion -- Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
-- carried Motion carried 6 to 0. (Brewer absent)

R.R. SIGNALS AGREEMENT FOR INSTALLATION OF RAILROAD SIGNALS. (District IV)

Agenda Report No. 02-1088

The recent consolidation of railroad movements west of Wichita caused the review of highway/railroad crossings along the Central Kansas Railway now Kansas and Oklahoma Railway line in southwest Wichita.

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Representatives of the City, State, and Railroad Company reviewed the crossing on West Street, south of Pawnee, to determine the possible need for signalization improvements. As a result of this review, a signal system upgrade, including the installation of L.E.D. lights and crossing gates, was recommended.

The estimated expense of the signal system improvements is \$103,857.00 and will be paid with Federal safety funds. The Agreement obligates the City to install and maintain the necessary advance warning signs and pavement markings at the crossing area. This expense, approximately \$2,500 will be paid from the Traffic Maintenance Operating Budget.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
Motion carried 6 to 0. (Brewer absent)

SETTLEMENT

LITIGATION SETTLEMENT.

(This Item was pulled from the Agenda)

BROOKHAVEN

SUPPLEMENTAL AGREEMENT FOR BROOKHAVEN ADDITION – NORTH OF CENTRAL, WEST OF 159TH STREET EAST. (District II)

Agenda Report No. 02-1090

On August 23, 2000, the Sedgwick County Board of Commissioners entered into an Agreement with Professional Engineering Consultants, P.A. (PEC) for designing a sanitary sewer system to serve homes in the Brookhaven Addition. Homeowners in Brookhaven Addition reported that their septic systems were failing. The sanitary sewer system is part of the Four Mile Creek Sewer that was transferred from the County to the City of Wichita in March of 2001. As part of the agreement with the County, the City is responsible for all contractual obligations incurred by the County for this project prior to the transfer.

On April 3, 2001, the City entered into an Agreement with PEC to redesign the sanitary sewer to eliminate the need to acquire easements by condemnation. The fee was \$25,700. A Supplemental Agreement has been prepared for the design services incurred by the County.

Payment will be on a lump sum basis of \$28,800, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
Motion carried 6 to 0. (Brewer absent)

DESIGN SERVICE

DESIGN SERVICES AGREEMENT FOR WOMER PLAZA, CHEROKEE SUNRISE WEST, AND SMITH VALLEY ADDITIONS – WEST OF WOMER, SOUTH O I-235. (District VI)

Agenda Report No. 02-1091

The City Council approved the project on December 11, 2001.

The proposed Agreement between the City and Baughman Company, P.A. provides for the design of bond financed improvements in Womer Plaza, Cherokee Sunrise West and Smith Valley Additions. Per Administrative Regulation 7a, staff recommends the selection of Baughman because Baughman provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum amount of \$10,700, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
Motion carried 6 to 0. (Brewer absent)

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DESIGN SERVICES

DESIGN SERVICES AGREEMENT FOR BRENTWOOD VILLAGE, BRENTWOOD SOUTH AND MAPLE SHADE ADDITIONS – EAST OF WEBB, NORTH OF PAWNEE. (District II)

Agenda Report No. 02-1092

The City Council approved the project on January 15, 2002.

The proposed Agreement between the City and Ruggles & Bohm, P.A. (R&B) provides for the design of bond financed improvements in Brentwood Village, Brentwood South and Maple Shade Additions. Per Administrative Regulation 7a, staff recommends the selection of R&B because R&B provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$115,409 and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
Motion carried 6 to 0. (Brewer absent)

LAWRENCE DUM.

CHANGE ORDER - LAWRENCE-DUMONT STADIUM IMPROVEMENTS. (District IV)

Agenda Report No. 02-1093

The City Council previously approved a Contract with Hahner, Foreman & Harness, Inc. to construct improvements and modifications to Lawrence-Dumont Stadium (LDS). The improvements/modifications were to bring the stadium and playing field into compliance with the Royals and the Major League's baseball standards, ensure continued team sponsorship by the Royals, and provide for a landscaped area adjoining the stadium.

The additional modifications requested through this Change Order will provide for improved lighting on the playing field by replacing existing light fixtures with new Universal light fixtures and new lamps on the (right field) Derrick light standard and the "B" light pole on the west side of the stadium. The Minor League Baseball's lighting standards for renovated and remodeled stadiums require a minimum of 70-foot candles per square foot in the infield and 50-foot candles per square foot in the outfield.

The Change Order amount of \$26,733 will be funded from the previously approved Capital Improvement Project (CIP) for Lawrence-Dumont Stadium with a total budget of \$3,707,000. Total expenditures and encumbrances to date total \$3,164,668.77 (Includes Change Orders). The project has an un-encumbered balance of \$542,331.23.

The Change Order amount is within 25% of the construction Contract cost limit set by City Council policy. Change Orders over \$10,000 require City Council approval. The Change Order has been approved as to form by the Law Department.

Motion --
-- carried

Knight moved that the change order be approved and the necessary signatures be authorized. Motion carried 6 to 0. (Brewer absent)

WATER

48-INCH RAW WATER PIPELINE REPAIR PROJECT - CHANGE ORDER NO. 1..

Agenda Report No. 02-1094

On May 22, 2001, the City Council approved a project to rehabilitate the 48-inch raw water pipeline that carries untreated water from the equus bed wells to the Water Treatment Plant. The project is currently under construction.

The project involves sliplining the existing 48-inch cast iron pipe. The alignment of the existing 48-inch raw water pipeline includes a section located under a portion of Sim Park Golf Course. An alternative alignment was determined necessary to avoid significant damage to the golf course, disruption of play, and loss of revenue. The realignment required a revision of materials and

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construction methods resulting in additional work for the contractor. In addition, a segment of a future 66-inch raw water pipeline had to be constructed at the same time as the 48-inch line, where the lines would lay parallel along the course. A Change Order is required to allow the contractor to do the additional work as part of the existing contract.

Change Order No. 1 is for \$724,127. CIP W-806, Repairs to 48-inch Raw Water Pipeline has funds of \$3.7 Million, and \$3 Million is budgeted for the 66-inch Raw Water Line (CIP W-807). Repairs to the 48-inch line will be reduced by \$9,636 and W-807 will be charged \$733,763. This has the effect of reducing the total Change Order to \$724,127.

Motion --
-- carried

Knight moved that the change order be approved and the necessary signatures be authorized. Motion carried 6 to 0. (Brewer absent)

CENTURY II

CENTURY II CONVENTION CENTER ROOF COATING. (District VI)

Agenda Report No. 02-1095

The current roof membrane on the Century II Convention Center is over eleven (11) years old and is within an estimated two (2) years from total roof membrane failure. In lieu of replacing the existing roof, a proposed protective coating will be placed on top to extend the life of the Century II roof for another ten (10) years. Requests For Proposals (RFP) were mailed to companies that perform this type of work on August 8, 2001.

Six (6) Companies responded to the Proposal as follows: Larry Booze Roofing, Buckley Roofing, Webcon INC., Protective Coatings, D. C. Taylor and RoofWorks, LLC. Review of the Proposals, Prices and Warranty details were conducted by the Staff Screening and Selection Committee with RoofWorks LLC's Proposal being selected.

The cost of this project is \$302,122. Sufficient funding for this project is available from the Enhanced Building Maintenance Budget, Project # 435272, OCA # 792310.

The Law Department will review and approve the Contract as to form.

Motion --
-- carried

Knight moved that the project and selection of RoofWorks LLC as vendor be approved; and negotiations of Contract and necessary signatures be authorized. Motion carried 6 to 0. (Brewer, absent)

MUSEUM DIST. BLVD. MUSEUM DISTRICT BOULEVARD.

Agenda Report No. 02-1096

On April 11, 2000, the City Council approved a project (Phase II) to reconstruct Sims Drive in the City's Museum District. The Phase I paving work is complete and the roadway is open to traffic. Additional funding in the amount of \$425,000 is budgeted for Phase II construction.

An amending Resolution has been prepared to incorporate the additional funding into the original budget.

The Museum District Project budget totals \$3,225,000. The funding source is General Obligation Bonds.

Motion -- carried

Knight moved that the amending Resolution be adopted. Motion carried 6 to 0. (Brewer absent)

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RESOLUTION NO. 02-130

A Resolution amending Resolution No. R-00-157 pertaining to certain improvements to construct a Museum District Boulevard (Project Number 472-83228) and authorizing the issuance of Bonds by the City of Wichita at Large, present. Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

RAIL CORRIDOR

ELEVATED RAIL CORRIDOR PROJECT AMENDING RESOLUTION. (District VI)

Agenda Report No. 02-1097

On May 25, 1999, the City Council approved a phase I contract to provide 30% plans for the Elevated Rail Corridor project. On February 5, 2002, the City Council approved a Supplemental Agreement for the preparation of final construction plans in the area between Douglas and 18th Street North.

An amending Resolution has been prepared to authorize funding for the additional design work and preliminary construction activities.

The estimated design and preliminary construction costs are \$7,500,000. The City will make payment to the design consultant from funds provided by TEA -21 (Federal).

Motion -- carried

Knight moved that the amending Resolution be adopted. Motion carried 6 to 0. (Brewer absent)

RESOLUTION NO. 02-131

A Resolution amending Resolution No. R-99-173 of the City of Wichita, Kansas, finding it necessary to make certain grade separation improvements to the Union Pacific Railroad and streets between Douglas Street and 19th Street North and the realignment of the Burlington Northern Santa Fe Tracks between 17th Street North and 29th Street North, present. Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

CIP

CIP BRIDGE DESIGN PROGRAM - AMENDING ORDINANCE.

Agenda Report No. 02-1098

On April 17, 2001, the City Council approved the 2001 Bridge Design Program. It provides for the design of the Central Avenue Bridge at Tara, Rock Road Bridge at Gypsum Creek and a bridge inspection program required by the Federal Highway Administration in order to maintain eligibility for Federal Grants. Based on current projections, additional funding is needed.

An amending Ordinance has been prepared to increase the authorized budget.

The current budget totals \$130,000, with \$90,000 funded by General Obligation Bonds and \$40,000 by Federal Grants. The revised budget is \$175,000 with \$115,000 funded by General Obligation Bonds, \$50,000 by Federal Grants and \$10,000 by the City Engineer's Office Operating Funds.

Motion -- carried

Knight moved that the Ordinance be placed on first reading. Motion carried 6 to 0. (Brewer absent)

ORDINANCE

An Ordinance amending Ordinance No. 44-958 of the City of Wichita, Kansas declaring Central Avenue Bridge at Tara Street, Rock Road Bridge at Gypsum Creek and Bridge Inspections (2001 Bridge Improvement Program) 472-83373, to be a main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, introduced and under the rules laid over.

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WDS MAIN

WATER DISTRIBUTION MAIN REPLACEMENT.

Agenda Report No. 02-1099

The Water & Sewer capital budget includes two CIP projects that are funded annually. Unidentified Mains (CIP W-65) funds new water mains that are needed, but are not identified in the Water Master Plan as separate CIP projects. Approximately \$3 million is budgeted annually for this purpose; however, at year-end 2001 about \$2.3 million remained unspent from prior years.

The second project, Distribution Main Replacement (CIP W-67), funds the replacement of water lines that either leak frequently, or need to be replaced because they are too small to meet current demands. Distribution Main Replacement is essential for decreasing the number of water main breaks, reducing water system maintenance costs, and improving customer service. Approximately \$4 million is budgeted annually for this purpose and will be expended by year end.

By transferring the remaining \$2.3 million in the 2001 W-65 budget to the 2002 W-67 budget, a more aggressive main replacement program will be implemented, thereby reducing costly maintenance and improving service to the water customers.

Transferring funds between the two projects will not increase the total capital budget. There will be a decrease in operating costs and an attendant decrease in service interruptions due to leaks.

Budget transfers require the approval of the City Council.

Motion --

-- carried

Knight moved that the transfer of funds from CIP W-65 to W-67 be authorized. Motion carried 6 to 0. (Brewer absent)

SNOW/ICE REMOVAL EMERGENCY SALT PURCHASES.

Agenda Report No.02-1100

Due to the winter weather (2000-2001), there was a regional shortage of salt for snow and ice control purposes this winter (2001-2002). The City entered into a contract with Ritchie Sand in October of 2001 to supply salt and sand for this year's winter season. However, due to heavy demands and limited capacity, the Hutchinson salt mines limited the City of Wichita to the purchase of 2,000 tons of salt. (Wichita typically uses 8,000 to 10,000 tons per year of salt and sand.)

After an extensive search for alternate suppliers, Public Works was able to locate a company in Overland Park (Central Salt), who agreed to sell salt to the City, on an as-needed basis. The cost of the salt is \$22.50/ton delivered to Ritchie Sand where they in turn mix it with sand and deliver it to the City for an additional \$6.92/ton making the total cost of this sand/salt mix \$29.42/ton.

Prior to the end of January, good weather conditions allowed conservation of the City's salt reserves, with very little usage. On January 29th, Wichita and the surrounding areas experienced a severe ice and snow storm which lasted 4 days. During the period from January 29th to February 2nd of 2002, nearly 4,000 tons of sand and salt material were used. Because of the diminishing stockpiles, salt had to be purchased from Central Salt during this emergency. A total of about 1,850 tons of salt were purchased during this time. Since the City does not have a formal contract with Central Salt, City Council authorization is needed to pay for this material.

This report is intended to inform the City Council of these emergency purchases and obtain Council authorization for payment. Invoices have been received for 1,823 tons of salt totaling \$41,014.74.

Purchasing Ordinance No. 35-856(c) provides for emergency purchase when a public exigency exists which will not permit a delay incident to advertising with approval by the City Council.

Motion – carried

Knight moved that payment be authorized. Motion carried 6 to 0. (Brewer absent)

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CUSTOMER SERVICE CUSTOMER SERVICE TRAINING.

Agenda Report No. 02-1101

The City's 2002 Budget places a strong emphasis on customer service, recognizing that any organization's strongest asset is its people. The City will provide a continuous information program to City employees on customer service practices; quality service depends upon correct, timely and accurate information. The City must also use multiple approaches to reach-out to citizens to communicate practices, programs and policy issues in a courteous and effective manner. The City's customer service initiative is two-fold, recognizing the importance of both its internal and external customers.

The City's Customer Service Initiative began in January 2001, with the theme of "Above and Beyond" to stress that the City must increase its commitment to providing services in a friendly, courteous and informative environment. Employees are not just information providers, but problem-solvers, working with individuals, groups (and each other) to find solutions to common problems. The City's 2002 Budget recognizes the importance of customer services and allocated funding for customer service and supervisory training programs.

City Staff is proposing to utilize the services of Wichita State University, Center for Management Development, to provide an extensive customer services training program for all City employees. The program will be conducted by professors with national recognition for customer service training. The approach to the Customer Service Initiative is to use effective training tools and to re-enforce training with recognition programs to provide increased attention and support to individuals and departments who go "above and beyond" the expected.

Estimated costs for this year-long extensive training program provided by Wichita State University will not exceed the allocated budget amount. Funds are available in the General Fund for this initiative.

The Law Department will approve the Contract as to form.

Motion --
-- carried

Knight moved that the funding and Contract be approved; and the necessary signatures be authorized. Motion carried 6 to 0. (Brewer absent)

EMP. RECOGNITION EMPLOYEE RECOGNITION AND REWARD PROGRAM.

Agenda Report No. 02-1102

The City's 2001 Budget included funding for a new employee recognition program in conjunction with the "Above and Beyond" Customer Service Initiative (begun in January 2001). Recognizing that any organization's strongest asset is its people, special emphasis will be placed on an effective employee recognition and reward program that is meaningful and realistically achievable to each employee.

Over 50% of City's employees serve on the front-line, or service delivery level. Many times, it is this tier of employees who customers most interact with and are key in citizens' perceptions of the City of Wichita as a service provider. Ironically, comments from employee focus groups revealed that most service delivery employees feel far-removed from any realistic opportunity of being recognized and/or rewarded for their performance.

Research has shown that recognition and rewards most motivating are those given immediately after the desired behavior is performed; rewards meaningful to one employee are not necessarily meaningful to the next employee. The need to reward employees following the desired behavior (with a reward meaningful to them as an individual) places emphasis on a recognition and reward program maximizing employee motivation and morale.

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The City allocated \$25,000 in the 2001 budget for employee recognition and rewards in conjunction with the Customer Service Initiative. To initiate the program, there is a need to transfer the remaining \$20,963.04 to the 2002 budget year.

Motion -- carried

Knight moved that the budget and Contract be approved. Motion carried 6 to 0. (Brewer absent)

FAIR HOUSING

FAIR HOUSING EDUCATION PROGRAM.

Agenda Report No. 02-1103

The Federal Department of Housing and Urban Development (HUD) has made available community grants for fair housing education and outreach services. In cooperation with the Urban League of Wichita, the City supported this Agency's application for funding the fair housing initiative. HUD has recently announced the award of \$100,000 from the Fair Housing Initiatives Program for a 12-month period. The funding will allow the Urban League to establish and offer fair housing education and outreach initiatives in Wichita. The Urban League will provide education to tenants, property-owners, homebuyers, Realtors, and banks to discourage and prevent fair housing violations. The Urban League will likewise provide similar services in Sedgwick, Ford, Finney, and Seward Counties. In addition to the HUD grant, The Urban League will receive matching fund commitments from the State Department of Commerce/Housing, Liberal, and Dodge City, Sedgwick County, Bank of America, Intrust and Emprise Banks, and City of Wichita.

Under the Fair Housing Initiative program, the Wichita Urban League will provide educational and outreach assistance. Currently, there are no local agencies that provide this local fair housing service. The Kansas Human Rights Commission office in Wichita and the Department Of Housing and Urban Development currently accepts housing complaints, but does not provide the education or outreach services. In the event that complaints are filed, they will be referred to the HUD regional office in Kansas City. The Urban League will continue to make these referrals if complaints warrant such action. The City will benefit by having the Urban League provide this service through public education of fair housing laws and through a local presence for ongoing education and outreach.

The local match allocation from City of Wichita for these services will be \$7,500 (from the total \$34,000 for all agencies) and will be used for local service delivery of fair housing education and outreach. Quarterly reports of services will be provided by Urban League.

Services to be provided include education and outreach; enforcement will continue to be a function of HUD.

Motion --
-- carried

Knight moved that the Contract be approved; and the funding and necessary signatures be authorized. Motion carried 6 to 0. (Brewer absent)

COPS TECHNOLOGY COPS TECHNOLOGY GRANT.

Agenda Report No. 02-1104

The Wichita Police Department has been notified that they have received a COPS Technology Grant award in the amount of \$1,496,700. The grant award will be administered by the Community Oriented Policing Services (COPS), and represents a congressional earmark of federal money appropriated to the City of Wichita from Congressman Tiahrt's office. The Police Department has allocated the grant money into two categories: (1) consultants/contractors and software enhancements for the TRW E*Justice system and; (2) technology equipment, including communication/navigation and safety enhancement equipment for a new helicopter, updated portable police radios, speed monitoring/radar trailers, and laboratory digital-imaging equipment.

A COPS Technology grant provides funding for the continued development of technologies and automated equipment to assist local law enforcement agencies in investigating, responding to, and

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preventing crime. This funding will provide the opportunity to establish and enhance a variety of technical equipment that will enhance community policing within the City of Wichita.

The City of Wichita has been awarded a COPS Technology Grant in the amount of \$1,496,700. No local match is required.

Motion -- carried

Knight moved that acceptance of the grant award be approved. Motion carried 6 to 0. (Brewer absent)

LAW COMPANY IRB INDUSTRIAL REVENUE BOND PURCHASE OPTION – LAW COMPANY BUILDING ASSOCIATES. (District VI)

Agenda Report No. 02-1105

On July 7, 1998, the City Council approved issuance of \$1,900,000 in Industrial Refunding Revenue Bonds, Series IX, 1998, to Law Company Building Associates. The Bonds were issued to refund and redeem certain outstanding Industrial Revenue bonds previously issued to finance the acquisition of land and construction of the Riverview Building at 345 Riverview. The Bonds are secured, in part, by a Lease Agreement with Law Company Building Associates ("Tenant"). The Tenant has expressed its interest to exercise option to purchase the property.

Under the provisions of Sections 10.1 and 10.2 of the Lease Agreement for the bond series, the Tenant has the option, if all outstanding bonds and Trustee Fees have been paid to purchase the facility from the City of Wichita for the sum of \$1000. At the same time, upon receipt of Trustee certification that the bonds have been paid and receipt of \$1000 from Law Building Company Associates, the City will deliver the instruments needed to deed the bond financed property back to Law Building Company Associates and terminate the IRB Lease.

The purchase price is \$1000 and other considerations as listed under the provision of the Lease Agreement including all payments necessary to redeem and retire all outstanding bonds. This price includes without limitations, the payment of all outstanding principal, interest, and all other expenses of redemption, and trustee fees, after the deduction of any amounts provided for in the Lease Agreement and available for such redemption.

The City is contractually bound to convey the IRB Project property to the Tenant by special warranty deed, once all the conditions established in the Lease have been met. The City Attorney's Office will approve the form of the Resolution, Special Warranty Deed and the Termination of Lease Agreement.

Motion --

Knight moved that the Resolution approving the Special Warranty Deed, Bill of Sale and Termination of Lease Agreement be adopted, with delivery contingent upon satisfaction of all conditions for reconveyance under the lease; and the necessary signatures be authorized. Motion carried 6 to 0.

-- carried

(Brewer absent)

RESOLUTION NO. 02-132

A Resolution authorizing the City of Wichita, Kansas, to convey certain real property to Law Company Building Associates and prescribing the form of and authorizing the execution and delivery of certain documents in connection therewith, presented. Knight moved that the Resolution be adopted. Motion carried 6 to 0. (Brewer absent) Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

PROPERTY ACQ. PAYMENT OF CONDEMNATION AWARD TO ACQUIRE PROPERTY NEAR WICHITA MID-CONTINENT AIRPORT. (District V)

Agenda Report No. 02-1106

In 2001, the Council authorized the acquisition by eminent domain of a tract of land located at 7800 S.W. Boulevard in order to protect the Runway Approach Area for the Airport. The court appointed

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appraisers have filed their report of the value of this tract which is just over 334,000 square feet in size and zoned limited industrial. The award is \$818,500.

In order for the City to obtain title to this tract of land it must pay the amount of the award, together with costs and appraisers' fees, into the Clerk of the District Court on or before March 20, 2002. Acquisition of this tract is necessary in order to protect the Runway Approach Area of the Airport.

The cost of acquiring this property will be paid from passenger facility charges collected by the Airport.

In order to acquire the tracts, it is necessary to pay the award, together with court costs and fees, to the Clerk of the District Court on or before March 20, 2002.

Motion --

Knight moved that the payment to the Clerk of the District Court of the appraisers' award in the amount of \$818,500, together with the related costs and fees of \$15,101.00, for acquisition of this tract of land be authorized. Motion carried 6 to 0. (Brewer absent)

-- carried

BUDGET

TRANSFER OF NUISANCE ABATEMENT FUNDS.

Agenda Report No. 02-1125

The transfer requested moves \$30,000 from the Environmental Maintenance Contingency to the Environmental Maintenance Lot Cleanup account. The Environmental Maintenance Contingency was created to fund lot cleanup and weed mowing activities to abate environmental nuisances. Local ordinance and state law allow the City to clean up private property after proper notification of the responsible party. This process is typically used when property has been abandoned, or in cases involving absentee owners who cannot be located for trial in municipal court. A private contractor performs the work, and the City bills the cost to the property owner directly or as a special property tax assessment.

In the 2002 budget, the Council allocated an initial \$25,500 to fund lot cleanup activities, with an additional \$92,250 available for transfer during the year. Invoices received for six completed cleanups, and anticipated costs for thirty-six cleanups under way or not yet billed by contractors, total \$ 24,000. Eleven additional cases have been approved for issuance to contractors upon approval of the requested transfer. Contractor estimates for this pending work total \$ 9,000. Staff anticipates that the \$30,000 requested for transfer will fund cleanup activities for the next two to three months.

Funds in the contingency account total \$92,250. The Finance Department has approved the transfer.

Council approval is required for budget adjustments in excess of \$10,000.

Motion --

Knight moved that the budget adjustment transferring \$ 30,000 from Environmental Maintenance Contingency (OCA 149070) to Environmental Maintenance Lot Cleanup (OCA 149062) be approved. Motion carried 6 to 0. (Brewer absent)

-- carried

PROPERTY ACQ.

ACQUISITION OF SEWER EASEMENT; NORTHWEST SEWER PROJECT. (District V)

Agenda Report No. 02-1107

The City Council has approved the construction of force mains, pump stations, and gravity-flow sewer lines to serve northwest Wichita. Part of the planned development calls for the connection of the Teal Brook subdivision to the new system. This line will be adjacent to Teal Brook on property owned by Sam and Judy Eberly. The project is located south of 21st Street North approximately 2 mile west of Maize Road.

The permanent easement contains 21,750 square feet and the temporary easement has 30,450 square feet. The owner has agreed to grant the City a permanent easement over and upon this parcel for

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\$10,000 (\$.45 per square foot) and grant the temporary construction easement for \$5,000 (\$.16 per square foot).

A budget of \$15,000 is requested for the acquisition.

Motion --
-- carried

Knight moved that the budget, Contract and easements be approved; and the necessary signatures be authorized. Motion carried 6 to 0. (Brewer absent)

PROPERTY ACQ.

ACQUISITION OF 7500 EAST KELLOGG FOR THE EAST KELLOGG IMPROVEMENT PROJECT- VILLAGE FASHION SHOPPING CENTER. (District II)

Agenda Report No. 02-1108

In December 2001, the total acquisitions required for the East Kellogg/Rock Road Improvement Project were released for active acquisition. Current plans call for construction of the Rock Road/Kellogg interchange to start in 2003. The property at 7500 East Kellogg is one of the required tracts. The site contains approximately 342,340 square feet and is improved with a 133,000 square foot multi-tenant retail shopping center. The improvements were constructed in 1984. Originally, there were four separate buildings. These have been connected to create a more conventional facility. The proposed improvements to Kellogg will require all parking south of the improvements with the construction limits being just a few feet from the south edge of the improvements.

The property was appraised at \$10,500,000 in December 2001. The owner has agreed to sell the property for a negotiated price of \$11,600,000. The facility is currently 100% occupied with eleven tenants. Income, after expenses, is approximately \$100,000 per month. This will allow the City to realize lease income during the pre-construction period. This amount will decrease as tenants relocate. The acquisition consultant for East Kellogg has reviewed this proposal and has recommended its acquisition. A property management company is currently employed by the owner. Due to the complexity of the management assignment, it is recommended that this firm be retained by the City after acquisition to manage the property until it is vacated for the highway project.

The Capital Improvement Program includes funds for opportunity acquisitions. The funding source will be local sales tax revenues. A budget of \$12,460,000 is requested. This includes \$11,600,000 for the facility acquisition, \$625,000 for tenant relocation, \$230,000 for demolition, and \$5,000 for closing costs, surveys and title insurance.

Motion --
-- carried

Knight moved that the budget and Contract be approved; and the necessary signatures be authorized. Motion carried 6 to 0. (Brewer absent)

PROPERTY ACQ.

ACQUISITION BY EMINENT DOMAIN OF TRACTS FOR THE EAST KELLOGG/ROCK ROAD IMPROVEMENT PROJECT.

Agenda Report No. 02-1109

Adopt resolution and approve and place on first reading the ordinance providing for the acquisition by eminent domain of certain real property.

The total acquisitions required for the East Kellogg/Rock Road Improvement Project were released for active acquisition in December 2001. There are twenty-one properties that must be acquired in totality. Ten have been acquired.

City staff and consultants hired by the City have been attempting to negotiate a purchase of the identified properties but have been unable to reach an agreement with the owners. The offer prices and counter offers are shown as part of Exhibit A. Per Federal guidelines, offer values were set by review appraisals of certified appraisals. Staff will continue to negotiate with the owners, but due to the construction schedule for the project, eminent domain proceedings need to be initiated.

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The cost of these acquisitions will be paid for by the City at large.

Motion --

Knight moved that the Resolution be adopted; filing of documents by City Attorney with District Court be authorized; and the Ordinance be placed on first reading. Motion carried 6 to 0. (Brewer absent)

-- carried

RESOLUTION NO. 02-133

A Resolution declaring the necessity for acquiring private property for the use of the City of Wichita in connection with planned improvement-East Kellogg (US-54), presented. Knight moved that the Resolution be adopted. Motion carried 6 to 0. (Brewer absent) Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

ORDINANCE

An Ordinance providing for the acquisition by eminent domain of certain private property, easements and right-of-way therein, for the purpose of acquiring real property for the Construction and widening of Kellogg Avenue in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the City Attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easement therein taken and providing for payment of the cost thereof, introduced and under the rules laid over.

CONDEMNATIONS

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES.

Agenda Report No. 02-1110

On February 12, 2002 the Board of Code Standards (BCSA) held a hearing on the following six (6) properties. These properties are considered dangerous and unsafe structures, and are being presented to schedule a condemnation hearing before the Governing Body.

Improvement notices have been issued on these structures, however, compliance has not been achieved. Pre-condemnation and formal condemnation letters were issued and the time granted has expired. No action has been taken to repair or remove these properties.

| | <u>Address</u> | <u>District</u> |
|----|------------------------|-----------------|
| 1. | 2244 North Minneapolis | I |
| 2. | 1902 North Spruce | I |
| 3. | 805 North Edwards | VI |
| 4. | 350 North Richmond | VI |
| 5. | 1838 South Topeka | III |
| 6. | 608 West Pawnee | III |

These structures have defects that under Ordinance No. 28-251 of the Code of the City of Wichita, shall cause them to be deemed as dangerous and unsafe buildings, as required by State Statute for condemnation consideration.

Motion --

Knight moved that the Resolutions placing this matter on the agenda for a Hearing before the Governing body on April 16, 2002, at 9:30 a.m., or as soon thereafter, be adopted. Motion carried 6 to 0. (Brewer absent)

-- carried

RESOLUTION NO. R-02-110

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lot 19, Block H, Millair Addition, Sedgwick County, Kansas, known as 2244 North Minneapolis, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented.

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Knight moved that the Resolution be adopted. Motion carried 6 to 0. (Brewer absent) Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. R-02-111

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lots 43 and 45, Spruce Street, Stouts Addition, Sedgwick County, Kansas, known as 1902 North Spruce, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 6 to 0. (Brewer absent) Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. R-02-112

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: the North 75 feet of the south 150 feet of Lot 1, Block 1, Riverside Health System Third Addition, Sedgwick County, Kansas, known as 805 North Edwards, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 6 to 0. (Brewer absent) Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. R-02-113

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lots 14 and 16, Block 28, J.O. Davidson's Second Addition, Sedgwick County, Kansas, known as 350 North Richmond, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 6 to 0. (Brewer absent) Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. R-02-114

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: the south ½ of Lot 1, Topeka Avenue, Tuller's Addition, Sedgwick County, Kansas, known as 1838 South Topeka, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 6 to 0. (Brewer absent) Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. R-02-115

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lot 16, Halls Addition, Sedgwick County, Kansas, known as 608 West Pawnee, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 6 to 0. (Brewer absent) Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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DAY REPORTING

DAY REPORTING CENTER. (District VI)

Agenda Report No. 02-1111

In October 2001, the City Council approved a site for a day reporting facility at 703 East 21st North. The City also agreed to commitments with the developer to assist in platting, construction financing and lease guarantees.

One element of the project involves the City committing public funding in the amount of \$215,000 toward the facility construction. This is accomplished by directing Community Development Block Grant (CDBG) funds to a portion of the Riverside Park capital project to, in turn, free up a like amount of local funds to cover direct City participation in the day reporting facility construction. The Riverside Park project was selected because of its modular nature (numerous elements that can be separately or jointly carried out so a component could be funded from grant funds).

To conclude the bonding transaction, the City's Bond Counsel has prepared a home rule ordinance that will permit the City to apply \$215,000 in public funds toward the public purpose of securing a day reporting center to meet a state mandate in a location that meets local specifications. The authorizing home rule ordinance will meet requirements set out by the Attorney General on debt financing transactions.

Motion --

Knight moved that the sale of the Bonds and Temporary Notes be awarded as outlined above; the Declaration of Emergency be approved and the Bond and Note Ordinances be adopted on first reading; and the necessary signatures be authorized. Motion carried 6 to 0. (Brewer absent)

-- carried

ORDINANCE NO. 45-214

An Ordinance authorizing the City of Wichita, Kansas, to issue certain General Obligation Bonds of the City in an amount of not to exceed Two Hundred Fifteen Thousand Dollars (\$215,000) for the purpose of paying the costs of demolishing an existing building located in the City of Wichita, Kansas, and construction, furnishing and equipping on the site thereof a new building, said site and building to be owned by a private party and leased to the Kansas State Department of Corrections or its Designee and operated as a Licensed Day Reporting Center in accordance with the provisions of Sections 20.08.010, 20.08.060, 20.08.100, 20.08.110, 20.08.120 and 20.08.140 of the Code of the City of Wichita, Kansas, as amended. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight. (Brewer absent)

ORDINANCES

SECOND READING ORDINANCE: (FIRST READ FEBRUARY 12, 2002)

a) Water distribution system to serve an area on both sides of Seneca, between 63rd and 55th Streets South. (District IV)

ORDINANCE NO. 45- 215

An Ordinance amending Ordinance No. 45-075 levying assessments on lots, pieces and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89417 to serve Chris-Clear, Roy Cox, Crease Second, Springs Second, Hansel, Rainbow Estates, Winter, Bone's South Seneca Gardens Additions, Clarkdale Sub-Division, Second and Third Clarkdale Subdivisions, and unplatted Tracts I Section 29, Township 28 South, Range 1 East (Project No. 470-606-734936-89417), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight. (Brewer absent)

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PLANNING AGENDA

Motion -- carried

Knight moved that the Planning Agenda be approved as consensus Items. Motion carried 6 to 0. (Brewer absent)

VAC2001-00020

VAC2001-00020 – VACATE PART OF PLATTED 30-FOOT STREET, SIDE YARD SET BACK – NORTHWEST OF KELLOGG/WOODLAWN INTERSECTION. (District II)

Agenda Report No. 02-1112

Staff Recommendation: Approve.
MAPC Recommendation: Approve. (unanimous)

The applicant is requesting consideration to vacate 23.2-feet of a platted 30-foot street side setback. The setback runs parallel to Woodlawn Avenue. The applicant proposes to build an attached 27-foot (x) 32-foot garage with an 8-foot high garage door. The garage will allow easier covered access to the applicant's handicapped equipped vans. The property, Lot 5, Block Q, 5th Addition to the Village is on the southwest corner of Peachtree Lane and Woodlawn. The applicant has agreed to the recommended conditions of building the garage behind the existing fencing and mature trees, to replace any trees killed by the building of the garage and to close the existing drive onto Woodlawn continuing the curb and gutter. The applicant has submitted an Irrevocable Letter of Credit to guarantee these conditions will be met.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

A certified copy of the Vacation Order and a Dedication of Abutter's Access Rights will be recorded with the Register of Deeds.

Motion --

-- carried

Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 6 to 0. (Brewer absent)

VAC2001-00037

VAC2001-00037 – VACATE UTILITY EASEMENTS AND PORTION OF RESERVE – NORTH OF 29TH STREET NORTH, WEST OF RIDGE ROAD. (District V)

Agenda Report No. 02-1113

Staff Recommendation: Approve.
MAPC Recommendation: Approve. (unanimous)

The applicant is requesting consideration to vacate four (4) 10-foot utility easements, a portion of a 20-foot utility easement, a portion of a 30-foot utility easement and a portion of a reserve located in the Forest Lakes Addition. The plat was recorded April 1993. The applicant proposes to create larger lots, by boundary shift. The applicant was required to dedicate replacement utility easements for those vacated. The Forrest Lake Masters Association, owner of the reserve agreed to the vacation of a portion of the reserve.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

A certified copy of the Vacation Order and Dedication of Utility Easements will be recorded with the Register of Deeds.

Motion --

-- carried

Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 6 to 0. (Brewer absent)

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VAC2001-00045

VAC2001-00045 – VACATE ACCESS CONTROL – NORTHEAST OF GEORGE WASHINGTON BOULEVARD/31ST STREET SOUTH INTERSECTION. (District III)

Agenda Report No. 02-1114

Staff Recommendation: Approve.
MAPC Recommendation: Approve. (unanimous)

The applicant purchased the south 40 feet of a platted lot for the purpose of providing access from George Washington Boulevard to a self-storage facility. The self-storage is located on Bunker Hill Street (east of the proposed access) and there is no access allowed onto the self-storage facility from its Bunker Hill Drive frontage. The applicant has 15-foot of access on the south part of the parcel, and requests the vacation of an additional 15-foot of access control on the abutting north section of the parcel.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that the Vacation Order be approved and the necessary signatures be authorized.
Motion carried 6 to 0. (Brewer absent)

SUB2001-38

SUB2001-38 – PLAT OF ECK EIGHTH ADDITION – SOUTHEAST CORNER OF ARKANSAS AND 53RD STREETS NORTH. (District VI)

Agenda Report 02-1115

Staff Recommendation: Approve the plat.
MAPC Recommendation: Approve the plat. (11-0)

A zone change (ZON 2000-52) from SF-5, Single-Family Residential to LI, Limited Industrial has been approved subject to platting. The plat is also subject to a Protective Overlay established by ZON-2000-52, addressing uses, municipal services, landscape buffers and architectural controls.

An off-site drainage agreement was also required by City Engineering. Petitions, all 100%, have been submitted for sewer and paving improvements. A Certificate of Petitions has also been submitted. In order to provide for the ownership and maintenance of the reserves, the applicant has submitted a restrictive covenant. A Protective Overlay Certificate was provided identifying the approved Protective Overlay and its special conditions for development.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

The Certificate of Petitions, Protective Overlay Certificate, restrictive covenant and off-site drainage agreement will be recorded with the Register of Deeds.

Motion --

-- carried

Knight moved that the documents and Plat be approved; the necessary signatures be authorized; the ZON 2000-52 Ordinance be placed on first reading with publication being withheld until such time as the Plat has been recorded with the Register of Deeds; and the Resolutions be adopted. Motion carried 6 to 0. (Brewer absent)

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RESOLUTION NO. 02-134

Resolution of findings of advisability and Resolution authorizing construction of sanitary sewer for Eck 8th Addition (south of 53rd Street North, east of Arkansas Avenue) Lateral 104, Sanitary Sewer No. 23, 468-83409, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

RESOLUTION NO. 02-135

Resolution of findings of advisability and Resolution authorizing improving of raised median in Arkansas Avenue (south of 53rd Street North, east of Arkansas Avenue) 472-83494, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, introduced and under the rules laid over. (ZON 2000-52)

SUB2001-120

SUB2001-120 PLAT OF BENCOR THIRD ADDITION – NORTHWEST CORNER OF HARRY AND BROADWAY. (District I)

Agenda Report No. 02-1116

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (13-0)

A zone change (ZON 2001-64) from LC, Limited Commercial to GC, General Commercial for Lot 2 and from GC, General Commercial to LC, Limited Commercial for Lot 1 has been approved for this site subject to replatting. In addition a zone change (2001-70) from LC, Limited Commercial to GC, General Commercial for the northeastern portion of Lot 1 has been approved for this site subject to replatting.

A cross-lot access easement was provided between the lots. Petitions, both 100%, have been submitted for sewer and drainage improvements. A Certificate of Petitions has also been submitted. A cash guarantee has been provided in order to guarantee the closure of a driveways along Market and Harry Seneca currently located in an area platted with complete access control. A temporary sewer easement has been provided to cover the sewer line until relocation.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the ordinances should be withheld until such time as the Plat is recorded with the Register of Deeds.

The Certificates of Petitions, temporary sewer easement, and cross-lot access easement will be recorded with the Register of Deeds.

Motion --

Knight moved that the documents and Plat be approved; the necessary signatures be authorized; the ZON 2001-64 and ZON 2001-70 Ordinances be placed on first reading with publication being withheld until such time as the Plat has been recorded with the Register of Deeds; and the Resolutions be adopted. Motion carried 6 to 0. (Brewer absent)

-- carried

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RESOLUTION NO. 02-136

Resolution of findings of advisability and Resolution authorizing construction of sanitary sewer for Bencor Third Addition, relocation of Lateral B, Sanitary Sewer No. 1 (north of Harry, west of Broadway) 468-83410, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

RESOLUTION NO. 02-137

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Sewer No. 568, Bencor Third Addition (north of Harry, west of Broadway) 468-83411, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, introduced and under the rules laid over. (ZON 2001-64)

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, introduced and under the rules laid over. (ZON 2001-70)

SUB2001-126

SUB2001-126 – PLAT OF REFLECTION RIDGE WEST SECOND – EAST SIDE OF TYLER ROAD, NORTH OF 21ST STREET NORTH. (District V)

Agenda Report No. 02-1117

Staff Recommendation: Approve the plat.
MAPC Recommendation: Approve the plat. (12-0)

A zone change (ZON 2000-34) from SF-5, Single-Family Residential to GO, General Office has been approved for the south portion of this site subject to platting. The plat is also subject to a Community Unit Plan established by ZON 2000-34.

Petitions, both 100%, have been submitted for sewer and water improvements. A Certificate of Petitions has also been submitted. A CUP Certificate was provided identifying the approved CUP and its special conditions for development. A joint access easement has also been provided.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

The Certificate of Petitions, CUP Certificate and joint access easement will be recorded with the Register of Deeds.

Motion --

Knight moved that the documents and Plat be approved; the necessary signatures be authorized; the ZON 2000-34 Ordinance be placed on first reading with publication being withheld until such time as the Plat has been recorded with the Register of Deeds; and the Resolutions be adopted. Motion carried 6 to 0. (Brewer absent)

-- carried

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RESOLUTION NO. 02-138

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89665 (east of Tyler, north of 21st) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

RESOLUTION NO. 02-139

Resolution of findings of advisability and Resolution authorizing construction of Lateral 2, Main 2, Northwest Interceptor Sewer (east of Tyler, north of 21st Street) 468-83412, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, introduced and under the rules laid over. ZON 2000-34

DED2001-1

DED2001-1 – DEDICATION OF ACCESS CONTROLS FOR PROPERTY SOUTH SIDE OF 61ST STREET NORTH, WEST OF SENECA. (District VI)

Agenda Report No. 02-1118

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of Lot Split No. SUB2001-122, and is being submitted to allow for access control except for one opening per lot.

The Dedication has been reviewed and approved by the Planning Commission.

Motion --
-- carried

Knight moved that the dedication be approved and the necessary signatures be authorized. Motion carried 6 to 0. (Brewer absent)

ZON2001-00066

ZON2001-00066 – ZONE CHANGE FROM SINGLE-FAMILY RESIDENTIAL AND RIGHT-OF-WAY TO GENERAL COMMERCIAL – NORTH OF MACARTHUR AND EAST OF I-135. (District III)

Agenda Report No. 02-1119

MAPC Recommendation: Approve (13-0), subject to a Protective Overlay requiring evergreen screening along I-135 except where the State will not allow trees to be planted on the right-of-way. D.A.B. Recommendation: Approve (6-0), subject to platting only without a Protective Overlay for evergreen screening along I-135.

Staff Recommendation: Approve, subject to platting within one year and subject to a Protective Overlay.

The subject property is located north of MacArthur and east of I-135 at 1002 E. MacArthur. The subject property contains a 1.33 acre unplatted tract that is zoned "SF-5" Single-Family Residential and a 1.04 acre unplatted tract that designated as right-of-way on the Official Zoning Map but is held in private ownership by the applicant.

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The subject property is currently developed with a single-family residence as well as a vehicle storage yard and a self-service storage warehouse business. A review of aerial photographs indicates that the storage business was established on the property between 1977 and 1983 and steadily grew in scale and intensity until it reached its current status between 1992 and 1997.

Use of the subject property for a storage business is illegal under the property's current zoning; however, no complaints have been received by the Office of Central Inspection regarding the illegal use of the property. The applicant has requested "GC" General Commercial zoning, which is the first zoning district that permits both the vehicle storage yard and self-service storage warehouse uses of the property.

In addition to receiving "GC" General Commercial zoning, the applicant will need to comply with the screening standards of the Unified Zoning Code and the Landscape Ordinance requirements, unless a Variance is granted by the Board of Zoning Appeals. The screening standards for outdoor storage areas require a decorative fence, evergreen vegetation, or landscaped earth berms where adjacent to a residential zoning district or public street right-of-way. For the subject property, screening would be required along the south and west property lines. Since I-135 is elevated at this location, a decorative fence or landscaped earth berms along the west property line will not screen the outside storage area from view from I-135; therefore, planning staff recommends a Protective Overlay to require screening along the west property line to be provided by evergreen vegetation. The Landscape Ordinance requires a landscaped street yard along arterial streets. For the subject property, a 20-foot deep yard landscaped with 11 shade trees (or the equivalent) would be required along MacArthur.

The character of the surrounding area is mixed with commercial uses to the east, a manufactured home park to the south, and major barriers to the north (Arkansas River) and west (I-135). The property east of the site is zoned "GC" General Commercial and is developed with a self-service storage warehouse and a body shop. The property south the site across MacArthur is zoned "LC" Limited Commercial and "MH" Manufactured Housing and is developed with a manufactured home park with remaining vacant land currently marketed for commercial development.

District Advisory Board III reviewed this request on December 5, 2001. D.A.B. III recommended approval (6-0) subject to platting and the condition that all required front yard screening (along MacArthur) be provided. D.A.B. III recommend not to require evergreen screening along I-135. On December 6, 2001, the MAPC recommended approval (8-2-1) subject to staff recommendations except that the evergreen screening along I-135 may be placed in the I-135 right-of-way with the State's permission, instead of on the applicant's property.

After the MAPC hearing, the applicant contacted staff indicating that he had additional information pertaining to costs, loss of income, and possible inability to access the abutting I-135 right-of-way for screening that was not considered by the MAPC. The applicant requested a rehearing of his application to consider this new information; therefore, the City Council returned the request to the MAPC for reconsideration on January 24, 2002.

At the January 24, 2002 hearing, the MAPC recommended approval (13-0) of the zone change request subject to platting the property within one year and subject to the following provisions of Protective Overlay District #107:

1. Screening along the west property line abutting the I-135 right-of-way shall be provided in the form of evergreen vegetation and may be planted on the abutting I-135 right-of-way. The evergreen vegetation shall be planted and maintained in accordance with a landscape plan approved by the Planning Director and shall consist of plant materials that, at maturity, provide a solid hedge of evergreen vegetation with a minimum height of 30 feet. For the portion of the abutting I-135 right-of-way where the State will not permit the planting of evergreen vegetation, a solid screening fence a minimum of 6 feet in height shall be provided along the west property line or the evergreen vegetation shall be planted on the subject property.

Concur with the findings of the MAPC and approve the zone change; subject to the additional provisions of Protective Overlay District #107 and subject to the condition of platting within one year;

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instruct the Planning Department to forward the ordinance for first reading when the plat is forward to the City Council.

Motion --

Knight moved that reviewed the record of hearing before the MAPC and in accordance with Policy No. 10 of the MAPC previously adopted by this Board, and having reviewed the factors contained therein and the factors stated by the MAPC, the recommendation of the MAPC be approved, subject to provisions of Protective Overlay District #107 and to condition of platting within one year; with Ordinance to be forwarded to Council with the Plat. Motion carried 6 to 0. (Brewer absent)

-- carried

ZON2001-00076

ZON2001-00076 (ASSOCIATED WITH CON2001-00068) – ZONE CHANGE FROM “SF5” SINGLE FAMILY RESIDENTIAL AND “B” MULTI-FAMILY RESIDENTIAL TO “LC” LIMITED COMMERCIAL ASSOCIATED WITH CONDITIONAL USE REQUEST FOR VEHICLE AND EQUIPMENT SALES – WEST OF NORTH WEST STREET BETWEEN SECOND AND THIRD STREETS – 323 NORTH WEST STREET. (District IV)

Agenda Report No. 02-1120

MAPC Recommendation: Approve, subject to conditions and replatting (10-0).

Staff Recommendation: Approve.

DAB Recommendation: Approve, subject to staff comments (7-0).

The applicant requests “LC” zoning and a Conditional Use for vehicle and equipment sales on a vacant 1.65-acre site located on the west side of North West Street, between 2nd and 3rd Streets. The front halves of these three lots are zoned “B” Multi-family, the back half of the site is zoned “SF-5.” North of the application area is an existing motorcycle sales and maintenance business under the same ownership as the application area, this property was rezoned to “GC” General Commercial in 1976.

The applicants intend to replat the application area into one lot developed with a motorcycle sales facility. The motorcycle sales facility will be primarily vehicle and equipment sales, with a maximum of 1000 square feet designated for retail sales of clothing, accessories, etc. Planning staff met with the applicant and his agent, and are in agreement with the proposed site plan and proposed conditions for the associated Conditional Use request for vehicle and equipment sales in “LC.” The site plan demonstrates the applicant’s efforts to mitigate negative impacts on residential neighbors through the use of a 15-foot compatibility setback, screening, conservation of existing trees, and additional planted trees to double the 1 per 40-foot requirement.

North of the existing motorcycle sales on West is an “LC” zoned property developed with a Southwestern Bell facility. South of the application area on West Street are several “LC” zoned properties; a house converted to a hair salon abutting the application area, and Caro Properties LLC further to the south. East of the application area on West are “LC” zoned properties developed with a television station, a skating rink, and a car wash. West of the application area are “SF-5” zoned lots developed with single-family housing.

The proposed zone change, from “B” and “SF-5” to “LC,” and the proposed development with a conditional use for vehicle and equipment sales would require conformance to all property development standards in the Unified Zoning Code

DAB IV heard this request on February 6th, 2002 and recommended approval subject to staff comments (7-0), no members of the public commented on the request. MAPC heard this request on February 7th, 2002 and approved subject to staff comments (10-0); again, no members of the public commented on the request.

The proposed conditions for the Conditional Use request are:

1. The Conditional Use shall be subject to the approved site plan.
2. Visual screening of areas contiguous to residential zoning districts shall be provided to protect adjacent properties from light, debris, and noise and to preserve adjacent property values.

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3. All parking, storage and display areas shall be paved with concrete, asphalt, or asphaltic concrete.
4. The lighting standards of the Unified Zoning Code Section IV-B.4. shall be complied with. No string-type or search lighting shall be permitted.
5. The compatibility noise standards of the Unified Zoning Code Section IV-C.6 shall be complied with. Outdoor speakers and sound amplification systems shall not be permitted.
6. No repair work shall be conducted on the site.
7. Only those signs permitted in the "LC" zoning district shall be permitted on this site, except that no portable, flashing, moving or off-site signs shall be permitted and no streamers, banners, pennants, pinwheels, commercial flags, bunting or similar devices shall be permitted.
8. There shall be no use of elevated platforms for the display of vehicles.
9. There shall be no test-driving of vehicles on the site.

Motion --

Knight moved that having reviewed the record of hearing before the MAPC and in accordance with Policy No. 10 of the MAPC previously adopted by this Board, and having reviewed the factors contained therein and the factors stated by the MAPC, the zone change and Conditional Use Permit, subject to replatting within one year be approved with the Ordinance to be forwarded to Council with the Plat; and the Resolution be adopted. Motion carried 6 to 0. (Brewer absent)

-- carried

RESOLUTION NO. 02-142

A Resolution authorizing a conditional use to allow vehicle and equipment sales on 1.65 acres zoned Limited Commercial, located west of North West Street between 2nd and 3rd Streets in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-D, as adopted by Ordinance No. 44-965, as amended, presented. Knight moved that the Resolution be adopted. Motion carried 6 to 0. (Brewer absent) Ayes: Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

AIRPORT AGENDA

AIRPORT

MID-CONTINENT AIRPORT SECURITY.

Agenda Report No 02-1121

As a result of the September 11th terrorist attacks, certain security actions must be taken to comply with Federal Aviation Administration (FAA) mandates. On November 20, 2001 the City Council approved both an airport security project and an amendment to the current CIP to address these mandates.

One of the security actions mandated by the FAA was to control parking within 300 feet of the passenger terminal, unless sufficient justification exists to allow for a waiver. The airport security project approved by City Council on November 20 included a terminal building blast effects analysis to address this mandate. This analysis will determine whether justification exists for a security waiver. Qualifications were received from three consultants. Based on qualifications, Applied Research Associates, Inc. was selected.

The cost of the study is \$24,165. The study will ultimately be funded 100% by AIP grant funds, although airport revenues will provide interim funding. The study is within the capital project budget.

The contract has been approved by the Law Department and is being reviewed by the FAA for approval.

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Motion --
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 6 to 0. (Brewer absent)

AIRPORT

ROOF REPLACEMENT PROGRAM CHANGE ORDER.

Agenda Report No. 02-1122

On September 18, 2001 Roofworks was awarded a contract for roof replacements on Mid-Continent Airport.

Hidden damage was discovered after existing roofing material was removed, which will need to be repaired before the roofs can be replaced. Also, the improvements will require additional guttering and downspouts to alleviate the problem in the future. A change order is required to address the additional work.

The cost of the change order is \$16,492.00 and will be funded with airport revenue.

Motion --
-- carried

Knight moved that the Change Order be approved; the budget be authorized; and the necessary signatures be authorized. Motion carried 6 to 0. (Brewer absent)

AIRPORT

MID-CONTINENT LOADING BRIDGES.

Agenda Report No. 02-1123

The proposed 2002 Capital Improvement Program (CIP) includes the addition of three loading bridges. The WAA currently owns two older loading bridges that were acquired when Continental Airlines left the market in 1994. Airlines pay a per-turn fee for use of Authority owned bridges. There are five other loading bridges at Mid-Continent Airport that are owned by the individual airlines that use them.

It is not unusual for airlines to request that the airports they serve provide loading bridges as part of the facility. Airlines benefit by this practice since they do not incur the upfront capital investment or the significant cost to relocate the loading bridge should they quit serving a particular market. Airports also benefit in that they are appropriately compensated for the capital investment/maintenance costs and they have an additional feature to entice new entrants to their market.

The three loading bridges are estimated to cost \$1,200,000 and will be funded with General Obligation Bonds paid with Airport revenue.

Motion --
-- carried

Knight moved that the project and procurement be approved; and the Resolution be adopted. Motion carried 6 to 0. (Brewer absent)

RESOLUTION NO. A-02-004

A Resolution declaring that a public necessity exists for, and that the public safety, service and welfare will be advanced by, the authorization of certain capital improvements to the Wichita Mid-Continent Airport Facility; and setting forth the nature of said improvements; the estimated costs thereof; and the manner of payment of same, presented. Knight moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Fearey, Gale, Lambke, Martz, Pisciotte, Knight..(Brewer absent)

AIRPORT

FLIGHTSAFETY LEASE MODIFICATIONS.

Agenda Report No. 02-1124

In 1975, FlightSafety International (FSI) entered into a lease agreement with the Wichita Airport Authority for the construction of a facility at 1951 Airport Road. In 1980, this lease was incorporated

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into a bond lease which also provided for the construction of two additional facilities located at 1851 Airport Road and 2 Learjet Way. In 1990, the bonds were refunded, and a new lease agreement was entered into through 2001 with three five-year renewal options.

FSI now proposes to construct a \$3 Million expansion to the facility located at 1951 Airport Road. FSI intends to finance the facility expansion with Airport Special Facility Revenue Bonds and to purchase additional simulators with Industrial Revenue Bonds. The agreement includes three additional five-year options beyond 2016.

On November 6, 2001, the City Council approved an agreement with FSI for the purpose noted above. Subsequently, FSI's legal counsel requested various language modifications. One of the modifications with regard to buildings and improvements relates to the provision of performance and labor and material payment bonds and statutory bonds with respect to the project contracts (in the full amount of the contracts). FSI has requested that this requirement be waived upon provision of a letter, signed by its president, stating that it agrees to guaranty the faithful performance of the contractor and assure that the contractor and subcontractors will be paid for the services, labor, materials and supplies used to construct the facility addition. Other changes requested by FSI are not substantive. In that the agreement has been modified since initial approval by City Council, it is resubmitted at this time for approval.

Land rental rates for the existing three facilities were established in the 1990 agreement, with the exception of 15,000 sq.ft., which will be added as a result of the expansion. The additional land area will be leased at the current land rental rate which is \$.2081/sq.ft. Options beyond 2016 call for fair market rental value on the original facilities.

The Law Department has approved the Agreement as to form, contingent upon City Council's approval of FSI's request to waive the payment and performance bond.

Motion --
-- carried

Knight moved that the Lease be approved and the necessary signatures be authorized. Motion carried 6 to 0. (Brewer absent)

ADJOURNMENT

The City Council meeting adjourned at 10:33 a.m.

Pat Burnett CMC
City Clerk